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S. R. A.—Fed. Hort. Bd. No. 90. Issued May, 1927.

United States Department of Agriculture

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SERVICE AND REGULATORY ANNOUNCEMENTS

JANUARY–MARCH, 1927

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NURSERY STOCK, PLANT, AND SEED QUARANTINE

Notice of Quarantine No. 37, with Revised Regulations

[Effective on and after April 1, 1927]

INTRODUCTORY NOTE

The main purpose of this revision of the regulations under quarantine 37 is to incorporate in one document the quarantine and regulations thereunder, and the four amendments to the regulations issued subsequent to the last edition (April 5, 1923). Amendment No. 1, promulgated June 30, 1924, modified regulation 15 by providing for the entry without permit of cut flowers from the Dominion of Canada. Amendment No. 2, promulgated November 20, 1924, modified the certification requirements under regulation 7. Amendment No. 3, promulgated January 10, 1925, modified regulation 2 by making it possible, after due notice, to require entry only under permit of any of the plant products covered by that regulation when it shall be determined by the Secretary of Agriculture that their entry for the purpose indicated may involve risk of the introduction into the United States of injurious pests or plant diseases. Amendment No. 4, promulgated December 31, 1925, modified the bulb item under regulation 3.

In the present edition minor changes have been made in regulations 4, 7, and 15. Regulation 4 has been modified to indicate the limitation on imports from countries which do not maintain inspection service. To the fourth paragraph of regulation 7 has been added a proviso indicating the requirement hitherto enforced of entering all special permit material through the Department of Agriculture either at Washington, D. C., or at San Francisco, Calif. Regulation 15 has been modified to more clearly define the classes of plants open to importation from countries contiguous to the United States, and to simplify the language of the last proviso.

C. L. Marlatt,
Chairman, Federal Horticultural Board.

NOTICE OF QUARANTINE NO. 37

Nursery Stock, Plant, and Seed Quarantine

The fact has been determined by the Secretary of Agriculture, and notice is hereby given, that there exist in Europe, Asia, Africa, Mexico, Central and South America, and other foreign countries and localities certain injurious insects and fungous diseases new to and not heretofore widely distributed within and throughout the United States, which affect and are carried by nursery stock and other plants and seeds, the words "nursery stock and other plants and seeds," including, wherever used in this notice and the rules and regulations supplemental hereto, field-grown florists' stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits and other seeds of fruit and ornamental trees or shrubs, also field, vegetable, and flower seeds, bedding plants, and other herbaceous plants, bulbs, and roots, and other plants and plant products for, or capable of, propagation.

Now, therefore, I, D. F. Houston, Secretary of Agriculture, under the authority conferred by the act of Congress approved August 20, 1912 (37 Stat. 315), do hereby declare that it is necessary, in order to prevent the further introduction into the United States of injurious insect pests and fungous diseases, to forbid, except as provided in the rules and regulations supplemental hereto, the importation into the United States of nursery stock and other plants and seeds from the foreign countries and localities named and from any other foreign locality or country.

On and after June 1, 1919, and until further notice, by virtue of said act of Congress approved August 20, 1912, the importation of nursery stock and other plants and seeds from the above named and all other foreign countries and localities, except as provided in the rules and regulations supplemental hereto, is prohibited.

This quarantine shall not apply to nursery stock and other plants and seeds covered by special quarantines and other restrictive orders now in force, a

list of which is given in Appendix A of the rules and regulations supplemental hereto, nor to the importation by the United States Department of Agriculture of nursery stock and other plants and seeds for experimental or scientific purposes.

Done in the District of Columbia this 18th day of November, 1918.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL.]

D. F. HOUSTON,
Secretary of Agriculture.

REVISED RULES AND REGULATIONS SUPPLEMENTAL TO NOTICE OF QUARANTINE NO. 37, GOVERNING THE IMPORTATION OF NURSERY STOCK AND OTHER PLANTS AND SEEDS INTO THE UNITED STATES

[Effective on and after April 1, 1927, and superseding the regulations heretofore issued governing the importation of nursery stock]

Regulation 1. Definitions.

For the purposes of these regulations the following words, names, and terms shall be construed, respectively, to mean:

(*a*) *Nursery stock and other plants and seeds:* Field-grown florists' stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits and other seeds of fruit and ornamental trees or shrubs; also field, vegetable, and flower seeds, bedding plants, and other herbaceous plants, bulbs, and roots, and other plants and plant products for, or capable of, propagation.

(*b*) *Field seeds:* Seeds of cereal, forage, and other field crops.

(*c*) *Vegetable seeds:* Seeds of garden vegetables and other truck crops.

(*d*) *Flower seeds:* Seeds of annual, biennial, or even perennial flowering plants which are essentially herbaceous, namely, plants which perish annually down to, and sometimes including, the root (i. e., soft, succulent plants).

(*e*) *Seeds of hardy perennial plants:* Seeds of woody or other plants which are not herbaceous and are either of a hardy and woody growth or are not killed to the ground in temperate zones.

(*f*) *Bulbs and corms:* Bulb—an enlarged subterranean bud with fleshy scales or coats (for example, tulips, Spanish iris); Corm—an enlarged fleshy base of a stem, bulb-like but solid (for example, gladiolus, cyclamen, crocus).

(*g*) *Plant roots, rhizomes, tubers:* Plant roots—the more or less fibrous roots of any plant (for example, fruit seedlings, ornamentals, lily of the valley pips); Rhizomes—a root stock or subterranean stem, usually fleshy and rooted at the nodes (for example, German iris, Aspidistra); Tuber—a thickened, fleshy subterranean branch having numerous buds or eyes (for example, potatoes).

(*h*) *New varieties:* A new variety is understood to mean a novelty, i. e., a new plant, variety, strain, type, or form, either recognized by the trade as such or so listed or described in catalogues, trade journals, or other publications, or duly and properly certified as such by the originator or introducer.

(*i*) *Necessary propagating stock:* Stock of old or standard varieties not available in this country and imported for the multiplication of the plants in question as a nursery or florist enterprise as distinguished from importations for the immediate or ultimate sale of the stocks actually imported.

(*j*) *Limited quantities:* As used in regulation 14 "limited quantities" is understood to mean such quantities as will supply any reasonable need for the establishment of commercial reproduction plantings or as may be necessary for the experimental, educational, or scientific purpose intended.

Regulation 2. Plant products and seeds for which permit is not required.

Plant products capable of propagation, imported for medicinal, food, or manufacturing purposes, and field, vegetable, and flower seeds, except such products and seeds as are governed by special quarantines and other restrictive orders now in force and such as may hereafter be made the subject of special quarantines or restrictive orders[1] may be imported without permit or other compliance with these regulations, when free from sand, soil, or earth. *Provided,* That any such articles may be made subject to entry only under permit

[1] See Appendix A to the Revised Rules and Regulations Supplemental to Notice of Quarantine No. 37 for list of such quarantines and restrictive orders.

and on compliance with the safeguards to be prescribed therein when it shall be determined by the Secretary of Agriculture that their entry for the purpose indicated may involve a risk of the introduction into the United States of injurious insect pests or fungous diseases. Such determination with respect to any such articles shall become effective after due notice.

Regulation 3. Nursery stock and other plants and seeds for which permit is required.

The following nursery stock and other plants and seeds, not including, however, those named in Appendix A, which are governed by special quarantines and other restrictive orders now in force, nor such as may hereafter be made the subject of special quarantines, may be imported from countries which maintain inspection (see Appendix B), under permit upon compliance with these regulations.

(1) Bulbs of the following genera: Lilium (lily), Convallaria (lily of the valley), Hyacinthus (hyacinth), Tulipa (tulip), and Crocus; and, until further notice, Chionodoxa (glory-of-the-snow), Galanthus (snowdrop), Scilla (squill), *Fritillaria imperialis* (crown imperial), *Fritillaria meleagris* (guinea-hen-flower), Muscari (grape hyacinth), Ixia, and Eranthis (winter aconite).

(2) Stocks, cuttings, scions, and buds of fruits for propagation.

(3) Rose stocks for propagation, including Manetti, Multiflora, Brier Rose, and Rosa Rugosa.

(4) Nuts, including palm seeds for propagation.

(5) Seeds of fruit, forest, ornamental, and shade trees, seeds of deciduous and evergreen ornamental shrubs, and seeds of hardy perennial plants.

Importations of nursery stock and other plants and seeds specified in this regulation, from countries not maintaining inspection, may be made under permit upon compliance with these regulations in limited quantities for experimental purposes only, but this limitation shall not apply to tree seeds.

Regulation 4. Application for permits for importation of nursery stock and other plants and seeds.[2]

Persons contemplating the importation of nursery stock and other plants and seeds the entry of which is permitted under regulation 3 shall first make application to the Federal Horticultural Board for a permit, stating in the application the exact designation of the nursery stock and other plants and seeds to be imported, the name and address of the exporter, the country and locality where grown, the port of entry, and the name and address of the importer in the United States to whom the permit should be sent.[3]

Applications for permits should be made in advance of the proposed shipments, but if, through no fault of the importer, a shipment should arrive before a permit is received the importation will be held in customs custody at the risk and expense of the importer for a period not exceeding 20 days pending the receipt of the permit.

Applications may be made by telegraph, in which case the information required above must be given.

With the exception of the products enumerated under regulation 2, permits are required for nursery stock and other plants and seeds entering the United States for immediate transportation in bond to foreign countries.

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[2] A post-office order dated May 27, 1913, as amended December 16, 1913, prohibits the importation by mail of all growing or living plants, seeds, and other plant products for propagation, except field, vegetable, and flower seeds. All importations of nursery stock and other plants and seeds, other than field, vegetable, and flower seeds, must be made by freight or express.

This order was modified by a post-office order under date of March 14, 1922, to provide, on request, for importation by mail of material imported under special permits, regulation 14, but only under special shipping tags secured from the Department of Agriculture and bearing the address, Federal Horticultural Board, United States Department of Agriculture. This modification does not apply generally to commercial or other entry under regulations 3 and 15 of quarantine 37, but upon representation of a special need for mail shipment, as perhaps in the case of small lots of scions or of tree seeds, a special permit may be issued with special mailing tags authorizing shipping of such articles through the mails under the conditions outlined as covering mail importations under regulation 14.

All such special permit material under special shipping tags will be delivered to the office of the Federal Horticultural Board, United States Department of Agriculture, either at Washington, D. C., at San Francisco, Calif., or at Honolulu, T. H., for inspection and if necessary, disinfection, after which, if found free of insects and diseases and to conform to customs and quarantine regulations, the material will be forwarded to the permittee without additional postage.

It should be distinctly understood that the post-office order referred to remains in full force and effect except as to special permit material under special Department of Agriculture tags as indicated above.

[3] Application Form No. 100 will be sent on request.

Applications for permit to import nursery stock and other plants and seeds from countries which do not maintain inspection must contain a definite statement of the quantity to be imported. Permits for importations from such countries, other than for tree seeds (see regulation 3), will be issued only to cover limited quantities and the permit will be valid only for a single importation. (See Appendix B for list of countries which maintain inspection.)

Regulation 5. Delivery in bond pending receipt of permit will be allowed for shipment from countries maintaining inspection.

If the required permit be not at hand upon arrival of a shipment from a country which maintains inspection, and such shipment meets the requirements of regulations 7 and 8, it may be delivered to the importer, consignee, or agent for the proper care thereof upon the filing of a bond with approved sureties in double the invoice value (but in no case less than $100), the condition of which shall be that the importation shall not be removed from the port of entry, but shall be redelivered to the collector of customs within 20 days from the date of arrival at the port, unless in the meantime the collector is presented with a proper permit; or, if the importer, consignee, or agent shall so elect, the goods may, so far as the Department of Agriculture is concerned, be retained in customs custody for a period not exceeding 20 days, pending the issuance of the permit, wholly at the risk and expense of the importer.

Regulation 6. Issuance of permits.

On approval by the Secretary of Agriculture of an application for the importation of nursery stock and other plants and seeds a permit will be issued in quadruplicate. One copy will be furnished to the applicant for presentation to the customs officer at the port of entry, one copy will be mailed to the collector of customs, and one to the inspector of the Department of Agriculture at the port of entry, and the fourth will be filed with the application.

Permits shall be valid until revoked, unless otherwise specified therein, and will be issued for the ports of Boston, New York, Newark, San Francisco, Seattle, and such other ports as may from time to time be approved by the Federal Horticultural Board. The permit will be addressed to the collector of customs at the port for which it is issued.

Regulation 7. Certification, marking, freedom from sand, soil, or earth, and approved packing material.

The importation of nursery stock and other plants and seeds from countries which maintain inspection will not be allowed unless the invoice is accompanied by an original certificate, and unless each container bears a copy certificate issued by a duly authorized official of the country from which it is exported, stating that the nursery stock and other plants and seeds covered by the certificate have been thoroughly inspected by him or under his direction at the time of packing, and found, or believed to be, free from injurious plant diseases and insect pests.

Each certificate and copy certificate shall give the date of inspection, name of the grower or exporter, the district or locality and the country where grown, and a statement that the nursery stock and other plants and seeds have been inspected by a duly authorized official and found, or believed to be, free from insect pests and plant diseases. The original certificate shall be signed and sealed by, and the copy certificate shall bear the seal and the actual or reproduced signature of, a responsible inspection official of the country of origin.

Lists of officials in foreign countries authorized to inspect nursery stock and other plants and seeds, giving their names and official designations, will be furnished to collectors of customs through the Secretary of the Treasury.

Each case, box, or other container or covering of nursery stock and other plants and seeds offered for entry shall be plainly and correctly marked to show the number of the permit, the general nature and quantity of the contents, the district or locality and country where grown, the name and address of the exporter, and the name and address of the consignee: *Provided*, That all importations of plants authorized under regulation 14 shall be addressed to the United States Department of Agriculture, Federal Horticultural Board, Washington, D. C., or—as to trans-Pacific shipments—to Ferry Building, San Francisco, Calif. In addition to the address, as indicated, such shipments shall be marked with the permit number and name of the importer. (For detailed instructions relative to entry conditions of such shipments, see HB–105, p. 4.)

All nursery stock and other plants and seeds offered for import must be free from sand, soil, or earth, and all plant roots, rhizomes, tubers, etc., must be

freed by washing or other means from such sand, soil, or earth: *Provided,* That sand, soil, or earth may be employed for the packing of bulbs and corms when such sand, soil, or earth has been sterilized or otherwise safeguarded in accordance with the methods prescribed by the Federal Horticultural Board and is so certified by the duly authorized inspector of the country of origin. The use of such sand, soil, or earth as packing for plants other than bulbs and corms is not authorized.

All packing materials employed in connection with importations of nursery stock and other plants and seeds are subject to approval as to such use by the Federal Horticultural Board. Such packing material must not previously have been used as packing or otherwise in connection with living plants, and except as provided in the preceding paragraph for bulbs and corms, must be free from sand, soil, or earth, and must be certified as meeting these conditions by the duly authorized inspector of the country of origin.[4]

If a package of nursery stock and other plants and seeds offered for entry includes any prohibited article, or if any of the plants have not been freed from earth, the entire package may be refused entry.

Regulation 8. Inspection.

In addition to the inspection at destination by the proper official of a State, Territory, or District of the United States, provided for in section 2 of the plant quarantine act of 1912, nursery stock and other plants and seeds imported under regulations 3 and 15 shall be subject as a condition of entry to such preliminary inspection as shall be required by the Federal Horticultural Board: *Provided,* That nursery stock and other plants and seeds imported under regulations 3 and 15 from countries which do not maintain inspection shall not be delivered to the importer or consignee until they have been examined by an inspector of the Department of Agriculture and found to be free from plant diseases and insect pests, or if infested, capable, in the judgment of the inspector, of being adequately safeguarded by disinfection.

Regulation 9. Disinfection a condition of entry.

Nursery stock and other plants and seeds imported under regulations 3 and 15 shall be subject, as a condition of entry, to such disinfection as shall be required by the inspector of the Department of Agriculture. When disinfection is required, the nursery stock and other plants and seeds involved will be delivered to the permittee for disinfection upon the filing with the collector of customs of a bond in the amount of $5,000, or in an amount equal to the invoice value if such value be less than $5,000, but in no case to be less than $100, with approved sureties, the condition of which shall be that the nursery stock and other plants and seeds shall be disinfected under the supervision of an inspector of the Department of Agriculture; that no case or other container thereof shall be broken, opened, or removed from the port of entry unless and until a written notice is given to such collector by an inspector of the Department of Agriculture that the nursery stock and other plants and seeds have been properly disinfected; and that the importation shall be redelivered to the collector of customs within 40 days from arrival at the port of entry. All charges incident to inspection and disinfection, other than the services of the inspector, shall be paid by the importer.

Regulation 10. Notice of arrival by permittee.

Immediately upon arrival of the nursery stock and other plants and seeds at the port of entry, the permittee shall submit in duplicate notice to the Secretary of Agriculture, through the collector of customs, on forms provided for that purpose, stating the number of the permit, date of entry, name of ship or vessel, the country and locality where grown, name of the foreign shipper, number of cases and marks and numbers on cases, the general nature and quantity of the nursery stock and other plants and seeds, the port of entry, and the name of the importer or broker at the port of entry.

Regulation 11. Notice of shipment by permittee.

After entry of the nursery stock and other plants and seeds and before removal from the port of entry for each separate shipment or consignment thereof the permittee shall notify the Secretary of Agriculture in duplicate, on forms provided for that purpose, stating the number of the permit, the date of entry, the port of entry, the customs entry number, name and address

[4] For detailed instructions relative to packing materials, including sterilized soil for bulbs and corms, see HB–132, revised June 8, 1921.

of the consignee to whom it is proposed to forward the shipment, the general nature and quantity of the nursery stock and other plants and seeds, the number of cases or other containers included in the shipment, and the case or container numbers and marks, together with the probable date of delivery for and route of transportation. A separate report is required for each ultimate consignee.

At the same time a copy of the notice to the Secretary of Agriculture shall be sent by the permittee to the duly authorized inspector or other officer of the State, Territory, or District to which the nursery stock and other plants and seeds are to be shipped. A list of such inspectors and officers is appended.

Should a consignee named in such a notice ship or deliver for shipment to any other State, Territory, or District such nursery stock and other plants or seeds before they have been inspected by a duly authorized State, Territorial, or District inspector or officer, he shall, prior to such shipment, give like notices to the Secretary of Agriculture and to the duly authorized inspector or other officer of the State, Territory, or District to which the nursery stock and other plants and seeds are to be reshipped.

Nursery stock and other plants and seeds which have been once inspected and passed by a duly authorized State, Territorial, or District inspector or other officer, will be allowed to move interstate without restrictions other than those imposed on the interstate movement of domestic nursery stock.

Regulation 12. Marking a condition of interstate shipment of nursery stock and other plants and seeds not inspected.

No person shall ship or deliver for shipment from one State, Territory, or District of the United States into any other State, Territory, or District any imported nursery stock and other plants and seeds, the case, box, package, crate, bale, or bundle whereof is not plainly marked so as to show the general nature and quantity of the contents, the name and address of the consignee, and the country and locality where grown, unless and until such imported nursery stock and other plants and seeds have been inspected and passed by the proper official of a State, Territory, or District of the United States.

Regulation 13. Cancellation of permits for violation of regulations.

Permits may be canceled and further permits refused for the importation of the products of any grower or exporter who has violated the plant quarantine act or any rules and regulations promulgated thereunder, or for the importation of the products of any country whose inspection is found by the Federal Horticultural Board as the result of its examinations of importations therefrom to be merely perfunctory, or for the failure of a permittee to give any notice required by these rules and regulations, or for the giving of a false or incomplete notice, or the mislabeling of any shipment with intent to evade any provision of the plant quarantine act or any rules and regulations thereunder.

Regulation 14. Special permits for importation in limited quantities of restricted plants.

Application may be made to the Secretary of Agriculture for special permits for the importation, in limited quantities and under conditions and safeguards to be prescribed in such permits, of nursery stock and other plants and seeds not covered by the preceding regulations, for the purpose of keeping the country supplied with new varieties and necessary propagating stock, or for any necessary experimental, educational, or scientific purpose: *Provided*, That this shall not apply to nursery stock and other plants and seeds covered by special quarantines and other restrictive orders now in force, nor to such as may hereafter be made the subject of special quarantines. A list of nursery stock and other plants and seeds covered by special quarantines and other restrictive orders now in force is given in Appendix A of these regulations.

The requirements of regulations 7, 8, 9, and 10 with respect to certification, marking, freedom from sand, soil, or earth, packing materials, inspection, disinfection, and notice of arrival shall apply also to importations authorized under special permits.[5]

Regulation 15. Permits for the importation of nursery stock and other plants and seeds from countries contiguous to the United States.

When it is deemed by the Secretary of Agriculture that the importation from countries contiguous to the United States of any class or classes of nursery stock

[5] A special form of application (No. 207) must be filled out. This form will be sent on request. For mail entry of special permit material under regulation 14, see footnote (2) under regulation 4.

and other plants and seeds the entry of which is not provided for under regulations 2 and 3 will not be attended by serious risk to the agriculture, horticulture, or floriculture of the United States, permits may be issued, on application, authorizing the entry of such nursery stock and other plants and seeds under such safeguards as may be prescribed in the permits: *Provided*, That importations under this regulation shall be limited to specific classes of nursery stock and other plants and seeds which can be considered as peculiar to or standard productions of such contiguous countries, as opposed to stock imported from foreign countries and held or grown on for later sale: *Provided further*, That this shall not apply to nursery stock and other plants and seeds governed by special quarantines and other restrictive orders, other than quarantine 37, now in force, nor to such as may hereafter be made the subject of special quarantines: *Provided further*, That in addition to the certificate required by regulation 7, the invoice covering nursery stock and other plants and seeds offered for entry under this regulation must be accompanied by a certificate of a duly authorized official of the country of origin, stating that the nursery stock and other plants and seeds proposed to be exported to the United States have been produced or grown in the country from which they are proposed to be exported:[6] *Provided further*, That cut flowers from the Dominion of Canada may be imported into the United States without permit or other restriction.

The above rules and regulations are hereby adopted and shall be effective on and after April 1, 1927, and shall supersede the rules and regulations governing the importation of nursery stock into the United States, which were promulgated April 5, 1923, as amended June 30, 1924, November 20, 1924, January 10, 1925, and December 31, 1925.

Done at the city of Washington this 17th day of March, 1927.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL.]

W. M. JARDINE,
Secretary of Agriculture.

APPENDIX A

The entry of the following plants and plant products is prohibited or restricted by specific quarantines and other restrictive orders now in force:

(*a*) Irish potatoes from all countries except the Dominion of Canada and Bermuda. Irish potatoes may be imported from any foreign country into the Territories of Hawaii and Porto Rico, for local use only, free from any restrictions under the plant quarantine act.

(*b*) Oranges, sweet limes, grapefruit, mangoes, achras sapotes, peaches, guavas, and plums from the Republic of Mexico.

(*c*) All five-leafed pines and all species and varieties of the genera *Ribes* and *Grossularia*, from each and every country of Europe and Asia and from the Dominion of Canada and Newfoundland.

(*d*) Cotton seed (including seed cotton) of all species and varieties, and cottonseed hulls, from any foreign locality and country, and from Porto Rico and Hawaii.

(*e*) Seeds of the avocado or alligator pear from Mexico and the countries of Central America.

(*f*) Living canes of sugar cane or cuttings or parts thereof from all foreign countries. There are no Federal restrictions on the entry of such materials into Hawaii and Porto Rico.

(*g*) All citrus nursery stock including buds, scions, and seeds, from all foreign localities and countries.

(*h*) All pines not included in paragraph (*c*) from all European countries and localities.

(*i*) Seed and all other portions in the raw or unmanufactured state of Indian corn or maize (*Zea mays L.*), and the closely related plants, including all species of Teosinte (*Euchlaena*), Job's tears (*Coix*), *Polytoca*, *Chionachne*, and *Sclerachne*, from southeastern Asia (including India, Siam, Indo-China, and China), Malayan Archipelago, Australia, New Zealand, Oceania, Philippine Islands, Formosa, Japan, and adjacent islands.

(*j*) All species and varieties of citrus fruits from eastern and southeastern Asia (including India, Siam, Indo-China, and China), the Malayan Archipelago, the Philippine Islands, Oceania (except Australia, Tasmania, and New

[6] Application form No. 221 for permit under this regulation will be sent on request.

Zealand), Japan (including Formosa and other islands adjacent to Japan), and the Union of South Africa.

(*k*) All varieties of sweet potatoes and yams (*Ipomoea batatas* and *Dioscorea* spp.) from all foreign countries and localities.

(*l*) All species or varieties of banana plants (*Musa* spp.) from all foreign countries and localities.

(*m*) Fruits of the avocado or alligator pear and avocado nursery stock less than 18 months of age from Mexico and the countries of Central America.

(*n*) Cotton from all foreign countries and localities, and from Porto Rico and Hawaii.

(*o*) Cottonseed oil from Mexico and cottonseed cake, meal, and all other cottonseed products, except oil, from all foreign countries, and from Porto Rico and Hawaii.

(*p*) All varieties of bamboo seed, plants, or cuttings thereof, capable of propagation, including all genera and species of the tribe *Bambuseae*, from all foreign countries.

(*q*) Seed or paddy rice from all foreign countries and localities; wheat from Australia, India, Japan, Italy, China, Union of South Africa, and Spain.

(*r*) Seed and all other portions in the raw or unmanufactured state of Indian corn or maize, broomcorn, sweet sorghums, grain sorghums, Sudan grass, Johnson grass, sugar cane, pearl millet, napier grass, teosinte, and Job's tears, and brooms made from broomcorn, from all foreign countries and localities.

(*s*) Stocks, cuttings, scions, and buds of fruits from Asia, Japan, Philippine Islands, and Oceania (including Australia and New Zealand).

(*t*) Fruits and vegetables in the raw or unprocessed state from all foreign countries and localities.

(*u*) Christmas trees from the Province of Quebec, Dominion of Canada.

APPENDIX B

LIST OF THE FOREIGN COUNTRIES WHICH HAVE PROVIDED FOR INSPECTION AND CERTIFICATION IN CONFORMITY WITH THE REQUIREMENTS OF THE PLANT QUARANTINE ACT OF AUGUST 20, 1912

Australia.
Austria.
Azores.
Barbados.
Belgium.
Bermuda.
British Guiana.
Canada.
Cuba.
Denmark.
England.
France.
Germany.
Guatemala.
Holland.
Hongkong.
Ireland.
Italy.
Jamaica.
Japan.
Leeward Islands:
  Antigua.
  St. Christopher-Nevis.
  Dominica.
  Montserrat.
  Virgin Islands.
Grand Duchy of Luxemburg.
New Zealand.
Philippine Islands.
Scotland.
Union of South Africa.
Spain.
Straits Settlements.
Switzerland.
Trinidad.
Wales.
Windward Islands:
  Granada.
  St. Lucia.
  St. Vincent.

APPENDIX C

STATE INSPECTION OFFICIALS

Alabama: State Horticulturist, Alabama State Board of Horticulture, Auburn, Ala.
Alaska: Agronomist in Charge, Alaska Agricultural Experiment Station, Sitka, Alaska.
Arizona: State Entomologist, Phoenix, Ariz.
Arkansas: State Inspector, Little Rock, Ark.
California: Horticultural Quarantine Officer, room 10, Ferry Building, San Francisco, Calif.
Colorado: State Entomologist, Colorado Agricultural Experiment Station, Fort Collins, Colo.
Connecticut: State Entomologist, New Haven, Conn.
Delaware: Secretary, State Board of Agriculture, Dover, Del.

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District of Columbia: United States Department of Agriculture, Federal Horticultural Board.
Florida: State Plant Board of Florida, Gainesville, Fla.
Georgia: State Entomologist, Atlanta, Ga.
Guam: Special Agent in Charge, Guam Agricultural Experiment Station, Island of Guam (via San Francisco).
Hawaii: Board of Commissioners of Agriculture and Forestry, Honolulu, T. H.
Idaho: Director, Bureau of Plant Industry, State Department of Agriculture, Boise, Idaho.
Illinois: Chief Inspector, Office State Entomologist, Urbana, Ill.
Indiana: State Entomologist, Indianapolis, Ind.
Iowa: State Entomologist, Iowa State College, Ames, Iowa.
Kansas, North: State Entomologist, Kansas State Agricultural College, Manhattan, Kans.
Kansas, South: Entomologist, University of Kansas, Lawrence, Kans.
Kentucky: State Entomologist, Kentucky Agricultural Experiment Station, Lexington, Ky.
Louisiana: Entomologist, State Department of Agriculture and Immigration, Baton Rouge, La.
Maine: State Horticulturist, Augusta, Me.
Maryland: State Entomologist, College Park, Md.
Massachusetts: State Nursery Inspector, Statehouse, Boston, Mass.
Michigan: State Inspector of Nurseries, East Lansing, Mich.
Minnesota: State Entomologist, St. Paul, Minn.
Mississippi: State Entomologist, Agricultural College, Miss.
Missouri: Entomologist, University of Missouri, Columbia, Mo.
Montana: Montana State Board of Horticulture, Missoula, Mont.
Nebraska: State Entomologist, University of Nebraska, Lincoln, Nebr.
Nevada: Director, Nevada Agricultural Experiment Station, Reno, Nev.
New Hampshire: Deputy Commissioner of Agriculture, Durham, N. H.
New Jersey: State Entomologist, New Brunswick, N. J.
New Mexico: Horticulturist, New Mexico Agricultural Experiment Station, State College, N. Mex.
New York: Commissioner of Agriculture, Albany, N. Y.
North Carolina: State Entomologist, State Department of Agriculture, Raleigh, N. C.
North Dakota: Director, North Dakota Agricultural Experiment Station, Agricultural College, N. Dak.
Ohio: Chief Inspector, Ohio Department of Agriculture, Columbus, Ohio.
Oklahoma: State Entomologist, Oklahoma City, Okla.
Oregon: Secretary, State Board of Horticulture, Portland, Oreg.
Pennsylvania: Director, Bureau of Plant Industry, Harrisburg, Pa.
Porto Rico: Entomologist, Board of Commissioners of Agriculture, Rio Piedras, P. R.
Rhode Island: Entomologist, room 129, Statehouse, Providence, R. I.
South Carolina: State Entomologist, Clemson College, S. C.
South Dakota: State Entomologist, South Dakota State College, Brookings, S. Dak.
Tennessee: State Entomologist, Knoxville, Tenn.
Texas: Chief Inspector of Nurseries, Austin, Tex.
Utah: State Crop Pest Inspector, Salt Lake City, Utah.
Vermont: State Nursery Inspector, Burlington, Vt.
Virginia: State Entomologist, Blacksburg, Va.
Washington: Commissioner of Agriculture, Olympia, Wash.
West Virginia: State Entomologist, Morgantown, W. Va.
Wisconsin: State Entomologist, State Capitol, Madison, Wis.
Wyoming: Secretary State Board of Horticulture, Laramie, Wyo.

NARCISSUS IMPORTATIONS IN 1927

HB–197

JANUARY 15, 1927.

Importations of narcissus planting stock during the fall of 1926 totalled approximately 42,000,000 bulbs. The importations included nearly 500 different varieties, but the bulk of the importations represented some 20 of the most used commercial varieties. In the light of these heavy importations, together with known previous plantings, the department considers the commoner narcissus

varieties now available in the United States in quantities reasonably sufficient for propagation needs.

In view of this situation the following conditions will apply to the importation of narcissus bulbs under regulation 14 of quarantine 37 during the year beginning July 1, 1927.

1. Importations will be restricted to new varieties and to those that are not available for propagation in the United States.

2. Such varieties will be permitted entry in limited quantities only.

3. All narcissus bulbs imported must be graded closely as to type and size before shipment from abroad. The application for the permit must indicate the number of bulbs, the sizes, and the type—that is, whether the bulbs are "mother bulbs," "double-nosed bulbs," "round bulbs," or "splits"—and the shipment must conform with the specifications which will be stated in the permit. Run of the field or ungraded bulbs will be refused entry.

4. The sterilization requirement will continue in force.

Narcissus variety statistics are now being tabulated and analyzed. As soon as these data are available, consideration will be given to special-permit requests for the coming import season.

C. L. Marlatt,
Chairman of Board.

[A press notice issued January 19, 1927, by the Office of Information, reproduced the above order without change. In addition this order was given mail distribution to all permittees and others in interest.]

HB–194

Revised March 15, 1927.

UTILIZATION OF PLANTS ENTERED FOR PROPAGATION

The requirements of entry and of utilization of plants imported for propagation under regulation 14, quarantine 37, are embodied in a series of numbered paragraphs in the application for special permit (Form 207)—requirements which the applicant specifically accepts in signing the liability agreement in the application. The requirements of utilization of such imports are covered in paragraphs 7 to 10, quoted below:

(7) Plants imported for propagation are to be utilized solely for that purpose and are not subject to release except when either the natural or artificial method of propagation involves the complete merging of the imported stock into the increase. Conditioned upon evidence submitted by the permittee, or upon determination by the board of such use, and also upon freedom from new pests, the increase obtained from such imported stock will be released after such period established by the board as shall insure full and adequate compliance with the propagation requirement. For instructions relative to such release, see circular HB–194, March 15, 1927.

(8) Plants imported for propagation are to be utilized by the permittee under approved horticultural methods so as to give as early as practicable the maximum production of new plants. No other utilization of the imported stock is authorized, such, for example, as forcing it under glass or growing it for cut flowers or the cutting of flowers for sale, or partial utilization with the intention of growing it on, or which will leave it possible to grow it on, for ultimate sale.

(9) The board or its representative shall have the privilege of inspecting at any time the imported stock or until released the increase therefrom and, if any infestation by an insect or disease new to or not theretofore widely distributed in the United States is found, the permittee will treat the infested stock in accordance with methods to be prescribed by the board, or, if necessary, destroy it. As an aid to such inspection, the permittee shall so plant or utilize the imported stock, under the number of the permit granting authority for its importation, as to maintain its identity or the identity of the increase therefrom until the latter is released.

(10) If the importer wishes to arrange with some other person to grow and propagate the imported stock, such growth and propagation shall be provided for under the legal contract approved by the board, which shall require compliance with conditions (8) and (9) hereof, and, in such case, the importer will file with the Federal Horticultural Board either the original or a certified copy of such contract.

FULL PROPAGATION USE REQUIRED

In explanation of the utilization requirements quoted above with respect to plants imported for propagation, it should be clearly understood that such importations have one purpose only, namely, to enable the permittee to obtain "stock plants," either of old or new varieties, not available in the United States, under an agreement to produce new plants therefrom by effective horticultural methods and by this means render a public service by aiding in making the varieties concerned available from domestic sources. Plants imported for propagation will be required to be utilized solely for that purpose. This limitation was distinctly indicated in 1919 in the first edition of the application form 207 for special permits under regulation 14, in which the applicant is required to "certify that the imported stocks * * * will be used for the establishment of reproduction plantings and not for immediate or ultimate sale," and the requirement that such material shall be used solely for propagation has been emphasized in all the later editions of that application form.

As indicated in paragraph 7 of the utilization requirements, the increase from stock plants imported for propagation under regulation 14, quarantine 37, will be released from restrictions under the liability agreement after such period established by the board as shall insure full and adequate compliance with the propagation requirement. The permittee will, however, be expected to retain propagation stock adequate for his future needs to obviate the necessity for further importations.

CONDITIONS OF RELEASE OF NEW PLANTS

The following general rules will indicate the conditions of release for important classes of plants. For other classes of plants, the permittee will be furnished specific instructions.

Increase by division, i. e., cutting into parts.—Plants propagated by division, the resulting increase will be released after one, two, or more years, depending on the propagation needs of the class of plants involved. Examples: Astilbe, as to plants resulting from the second division; Dracaena, as to plants obtained from sectioning of the imported canes.

Increase by buds, scions, cuttings, or layers.—No restrictions are placed on the disposal of new plants produced from such buds, scions, cuttings, or layers, except that the permittee will be expected to retain propagation stock adequate for his future needs. On the other hand, the "mother" or "stock" plants, under the terms of the agreement authorizing entry solely for propagation, are not subject to release at all. With the consent of the board, such mother or stock plants may, however, be destroyed when they are no longer required by the importer for propagation.

Bulbous plants.—The release of bulbous plants will be fixed for such period as will insure adequate propagation use of the imported stock, due account being taken of small bulbs or bulblets and corms or cormels, which must be kept not only until they have reached full size but until adequate numerical increase has resulted. In the case of narcissus bulbs, release from further restrictions has been authorized at the end of the second crop year, on the presentation of satisfactory evidence of adequate propagation use of the imported stock. (See IIB–193).

SEGREGATION AND PLATTING OF IMPORTED MATERIAL

Paragraph 9 of the utilization requirements quoted above includes the provision that plants imported for propagation shall be used in such fashion as to maintain their identity under the permit number authorizing their entry. Elsewhere in the application (Form 207, p. 3) the permittee is required to give the location where the material is to be propagated, and in Form 238, which was issued to permittees, the information desired is more exactly indicated by the requirement that the permittee shall "give the exact location of the plants in the nursery, greenhouse, or other establishment," and "(if necessary draw a sketch map on the back of this sheet)." The primary purpose of this requirement is to keep the material segregated, as opposed to permitting it to be scattered or miscellaneously planted. The object of the plat or chart, indicating the exact location of the material, is to facilitate inspection from time to time by

the board to determine full compliance with the propagation requirement and also to determine freedom from new pests or plant diseases. Failure to make full compliance may lead to the refusal of further permits.

C. L. MARLATT,
Chairman of Board.

Form 207, Revised March 15, 1927.

UNITED STATES DEPARTMENT OF AGRICULTURE

FEDERAL HORTICULTURAL BOARD

WASHINGTON, D. C.

APPLICATION FOR SPECIAL PERMIT UNDER REGULATION 14, QUARANTINE NO. 37, TO IMPORT NURSERY STOCK AND OTHER PLANTS AND SEEDS

[See Circular HB-105 for detailed explanation of the provisions for entry under special permits of all restricted plants]

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SECRETARY OF AGRICULTURE,
Washington, D. C.

SIR: In accordance with Regulation 14 of the rules and regulations supplemental to Notice of Quarantine No. 37, a special permit is requested for the importation of the following plants:

Quantity	Estimated invoice value, each	Name or exact designation of each species, variety, strain, or type of plant to be imported (Print names and arrange alphabetically by genera)	Originator	Year

Name and address of exporter ----------
Name and address of foreign grower ----------
Country where grown ----- ---------- Locality where grown ----------
Name and address of person (either applicant or authorized agent) to whom plants are to be forwarded after inspection and release by the Department of Agriculture.

Name and address of person (either applicant or authorized agent) to whom permit and shipping instructions should be mailed.

Approximate date of importation ----------
Is the importation to be made through the mail? ----------
If so, estimated number of packages ----------
If the importation is to be made under the propagation purpose of Regulation 14 the following information must also be given:
Location of the premises where the material is to be propagated and the name of the actual grower.

Proposed method of propagation ----------

CONDITIONS OF ENTRY WHICH MUST BE AGREED TO BY THE APPLICANT

(1) Under Regulation 14 provision is made for (*a*) entry of propagating stock unavailable in the United States and (*b*) entry for any necessary experimental, educational, or scientific work.* *Plants authorized entry for these purposes will be restricted to the youngest and smallest plants or to portions of plants, that can accomplish the purpose of the importation.* As indicated in Regulation 14, such plants must meet the entry requirements of Regulations 7, 8, 9, and 10 (Quarantine 37).

NOTE.—All importations of plants authorized under Regulation 14 shall be addressed to the United States Department of Agriculture, Federal Horticultural Board, Washington, D. C., or—as to transpacific shipments—to Ferry Building, San Francisco, Calif. (See Regulation 7, Quarantine 37, and HB–105, p. 4.)

(2) If the plants are found upon inspection by inspectors of the Federal Horticultural Board to be so infested or infected with insects or disease that they can not be adequately safeguarded, they may be destroyed and such destruction will not be made the basis of a claim against the Department of Agriculture for damages; it being understood that cleaning and disinfection will be authorized by the Board for any slight infestations which can thus be adequately safeguarded.

(3) If any package of stock offered for entry includes any prohibited article or other article not covered by the permit, or if any of the plants do not comply with the requirements of the permit, the entire package may be refused entry.

(4) If necessary, the applicant will arrange with some responsible agency to clear the plants through the Customhouse and for their immediate transfer to the designated inspection point, and if the quantity of material is greater than can be handled at such inspection point, he must provide, under the supervision of the Department, local storage for the material during the period of its examination and, if necessary, disinfection, and must supply labor for repacking and additional containers and labor and chemicals for disinfection if such are necessary, it being understood that small shipments will be repacked by the Department and forwarded, charges collect, to the importer.

(5) The duty, brokerage, and other charges connected with the entry of the plants will be paid by the importer or by his agent or broker.

(6) The applicant will arrange with the foreign shippers to furnish the Federal Horticultural Board with a true copy of the invoice giving an itemized statement of the contents of the shipment.

UTILIZATION OF PLANTS ENTERED FOR PROPAGATION

(7) Plants imported for propagation are to be utilized solely for that purpose and are not subject to release except when either the natural or artificial method of propagation involves the complete merging of the imported stock into the increase. Conditioned upon evidence submitted by the permittee, or upon determination by the Board of such use, and also upon freedom from new pests, the increase obtained from such imported stock will be released after such period established by the Board as shall insure full and adequate compliance with the propagation requirement. For instructions relative to such release, see circular HB–194, March 15, 1927.

(8) Plants imported for propagation are to be utilized by the permittee under approved horticultural methods so as to give as early as practicable the maximum production of new plants. No other utilization of the imported stock is authorized, such, for example, as forcing it under glass or growing it for cut flowers or the cutting of flowers for sale, or partial utilization with the intention of growing it on, or which will leave it possible to grow it on, for ultimate sale.

(9) The Board or its representative shall have the privilege of inspecting at any time the imported stock or until released the increase therefrom and, if any infestation is found by an insect or disease new to or not theretofore widely distributed in the United States, the permittee will treat the infested stock in accordance with methods to be prescribed by the Board, or, if necessary, destroy it. As an aid to such inspection, the permittee shall so plant or utilize the imported stock under the number of the permit granting authority for its impor-

* The conditions governing the issuance of special permits for importations for experimental, educational, or scientific work are given in paragraphs 18 to 27, Circular HB–105.

tation, as to maintain its identity or the identity of the increase therefrom until the latter is released.

(10) If the importer wishes to arrange with some other person to grow and propagate the imported stock, such growth and propagation shall be provided for under a legal contract approved by the Board, which shall require compliance with conditions (8) and (9) hereof, and, in such case, the importer will file with the Federal Horticultural Board either the original or a certified copy of such contract.

LIABILITY AGREEMENT

In consideration of the approval of this application and of the issuance of the special permit applied for, the undersigned hereby agrees to use the stock imported thereunder, solely for the purpose specified in the permit issued under Regulation 14, hereinbefore referred to, and to comply with all the conditions of entry set forth above and in said special permit, and further stipulates and agrees if said imported stock is used by him otherwise than as specified in said Regulation 14, or if the said conditions or any of them are not complied with by him, in view of the impossibility of estimating with exactness the damages that will result to the United States in consequence thereof, to become liable for, and to pay to the United States, as liquidated damages, a sum equal to twice the invoice value of the stock imported as shown in said permit, if such value be $2,500 or less, but in no case shall such liability of the applicant exceed $5,000.

_____
(Signature of applicant)

_____
(Address of applicant)

_____
(Witness)

_____
(Address of witness)

(APPLICANT WILL NOT WRITE BELOW THIS LINE)

B. P. I. List. Approved Hortic. Status. Information lacking. Letter needed. Approved Path. in Charge.

HB–201

SEGREGATION AND CHARTING REQUIREMENT OF PLANTS IMPORTED UNDER SPECIAL PERMIT FOR PROPAGATION

MARCH 21, 1927.

DEAR SIR: The board is advised that the requirement of segregation and, if necessary, charting of plants imported for propagation under regulation 14 of quarantine 37 has been more or less neglected on the part of permittees. This requirement, including hereafter as to all permittees the submission of a chart indicating the location of imported plants, will be strictly enforced, and failure to make full compliance therewith may lead to the refusal to the permittee concerned of further permits.

Permittees will note that paragraph 8, page 4, of the application form for special permit (Form 207, revision of April 19, 1926) includes the provision that plants imported for propagation shall be used in such fashion as to maintain their identity under the permit number authorizing their entry. Elsewhere in the application (p. 3) the permittee is required to give the location where the plants are to be propagated, and in Form 238, which was issued to permittees (see revision of February 13, 1922), the information desired is more exactly indicated by the requirement that the permittee shall "give the exact location of the plants in the nursery, greenhouse, or other establishment," and "if necessary draw a sketch map."

The primary purpose of this requirement is to keep such imports segregated, as opposed to permitting them to be scattered or miscellaneously planted, with

the object of facilitating their inspection from time to time by the board to determine full compliance with the propagation requirement and also to determine their freedom from new pests or plant diseases. As indicated above, hereafter, in addition to segregation of such imports, the submission of a chart or plat will be required of all permittees.

Permittees who have not submitted such plat or chart, indicating the exact location on their premises of imports under special permits of plants for propagation, either as to outdoor plantings or as to the greenhouse or other building in which such plants are housed, are requested to immediately prepare and transmit such information to the board.

Yours very truly,

C. L. Marlatt,
Chairman of Board.

FRUIT AND VEGETABLE QUARANTINE (NO. 56)

OFFICIAL ORDERS ISSUED RELATIVE TO THE ENTRY OF GRAPES FROM ARGENTINA

[These orders were given publicity through the press and were distributed by mail to all permittees and others in interest]

ARGENTINE GRAPE PERMITS SUSPENDED

January 5, 1927.

Dear Sir: You were advised in our letter of May 14, 1926 (see copy inclosed), that a shipment of grapes from the Mendoza district of Argentina was found to be infested with fruit-fly larvae, making it necessary to refuse consumption entry to those grapes. You were then informed that, in view of this finding, a thoroughgoing reinvestigation of the fruit-fly situation in Argentina would be necessary, and that the issuance of permits for future imports would necessarily be based on the results of such investigation.

You are advised that the Argentine Government was requested to have such investigation made of the fruit-fly situation in her principal fruit districts so that the results could be made the basis for a continuation of the entry of grapes and other fruits and vegetables from districts which should be shown to be free from infestation. The department has been advised that an investigation of that type has been undertaken, but no definite and adequate report of such investigation has been received which would give the information necessary for the issuance of permits for the importation of grapes. You are therefore advised that pending the receipt of full information as to the fruit-fly situation in Argentina all permits for the importation of Argentine grapes are and remain suspended.

Inasmuch as no other fruits or vegetables from Argentina have so far been found to be infested with fruit-fly larvae, the consumption entry of fruits and vegetables other than grapes will be permitted under existing permits if upon intensive inspection at ports of entry they are found free from fruit flies and other dangerous pests.

Yours very truly,

C. L. Marlatt,
Chairman of Board.

(Inclosure.)

May 14, 1926.

Dear Sir: I regret to advise you that a recent shipment of white grapes (Malagas) from the Mendoza district of Argentina has been found to be generally infested with fruit-fly larvae, and it therefore became necessary to refuse consumption entry to these grapes.

You will note from the conditions of entry enumerated in the regulations under quarantine 56 (under which all permits are issued for the entry of grapes and other fruits and vegetables from foreign countries) that permits for the entry of Argentine fruits and vegetables have been issued under the belief of the department that Argentina was free from Mediterranean fruit fly and that the fruits and vegetables which were authorized entry under these

permits from Argentina were not subject to attack in that country by any other fruit fly. (See regulation 2.)

The discovery of infestation with fruit-fly maggots of grapes from the Mendoza district naturally brings under suspicion not only all importations of grapes from that and other districts of Argentina, but also importations of other fruits and vegetables.

You are, therefore, definitely advised and warned that, with respect to any further shipments from Argentina of the crop of 1925–26, entry under your permits of fruits or vegetables will be conditioned on such fruits and vegetables being determined by adequate inspection at port of arrival to be free from infestation with fruit flies or other injurious insects. You are also requested to advise, by cable if necessary, Argentine exporters with whom you are in relationship of this situation.

Furthermore, in view of this finding, it will become necessary to have a thoroughgoing reinvestigation made of the fruit-fly situation in Argentina, and the issuance of permits for future imports will necessarily be based on the results of such reinvestigation.

Yours very truly,

C. L. MARLATT,
Chairman of Board.

ARGENTINE GRAPE PERMITS REVALIDATED

FEBRUARY 3, 1927.

DEAR SIR: I am inclosing for your information a copy of the notice released to-day relative to the conditional entry of Argentine grapes originating in the Provinces of San Juan, Mendoza, Rio Negro, and Chubut. The specific conditions of entry are not noted in this press release. As agreed upon between the Argentine Embassy and this department the following conditions must be met: (1) That such shipments shall be certified as to origin by the appropriate officer of the Argentine Government; (2) that each crate or container shall be marked to indicate the province of origin; (3) that the shipments shall be safeguarded from point of origin to embarkation at Buenos Aires; (4) that compliance with these conditions shall be the basis of issuance of the consular invoice; (5) that the shipments shall be subject to thorough inspection by inspectors of this department upon arrival at New York; and (6) that refusal of further entry shall follow the determination of any infestation by fruit fly, both as to the shipment in question and as to other shipments which may be en route, and shall also follow, as to the provinces concerned, any determination of fruit fly infestation which may result from surveys now provided for.

Until further notice your permit has been revalidated subject to entry under the conditions enumerated.

Yours very truly,

C. L. MARLATT,
Chairman of Board.

DEPARTMENT OF AGRICULTURE COOPERATES IN ARGENTINE FRUIT-FLY SURVEY

Provisional Entry of Grapes from Districts Declared Free Authorized

[Press notice]

FEBRUARY 3, 1927.

Following the determination by officials of the Department of Agriculture last May that shipments of grapes, now known to have originated in one of the northern Provinces of Argentina, were infested with the fruit fly, all grape permits for Argentina were revoked pending a redetermination of the fruit-fly situation.

Various dispatches have been received from the Argentine Government bearing on the fruit-fly occurrence in Argentina and the inspection service of that country. On the basis of these dispatches and of conferences between representatives of the Argentine Embassy and officials of the Department of Agriculture, it was agreed that a new and exhaustive survey of the fruit-producing sections would be undertaken by Argentina, and that, in a spirit of friendly

cooperation, this survey would be supplemented by field inspections under the direction of this department.

Max Kisliuk, jr., chief plant quarantine inspector at the port of Philadelphia, was assigned to this task and is now en route to Argentina. His first duty will be to make an inspection and report on the Provinces of San Juan, Mendoza, Rio Negro, and Chubut, which are completely isolated from known infested districts, and which are declared by the Argentine Government, on the basis of regular annual inspections, to be free from fruit fly. In support of this belief also is the fact that no fruit flies were found in these Provinces in the course of the fairly detailed survey made in Argentina by a representative of the United States Department of Agriculture in 1925. Pending the receipt of the report on these Provinces of the department's representative, early exportations therefrom will be permitted entry at the port of New York.

This action is taken to enable the grape crop to start in movement and thus avoid loss from storage. Such movement from point of origin will be fully safeguarded and controlled, and the shipments will be subject to strict inspection at the authorized port of entry. It is, however, unlikely that any of these shipments will actually arrive at New York prior to the receipt of a preliminary report on these Provinces. Such early movement has, therefore, been authorized under the full prior acceptance on the part of the Argentine Government of the risk of possible rejection of any or all shipments.

EUROPEAN CORN-BORER QUARANTINE (FOREIGN) (NO. 41)

REVISED FOREIGN CORN-BORER QUARANTINE BECOMES EFFECTIVE MARCH 1, 1927

[Press notice]

FEBRUARY 14, 1927.

Extensive revisions of the rules and regulations under the foreign corn-borer quarantine, approved by Secretary Jardine February 10, will become effective March 1, 1927, it was announced to-day by the United States Department of Agriculture.

The revised measure (quarantine No. 41) now includes quarantine No. 42, which applied specifically to the entry of corn from Mexico, and quarantine No. 42 is discontinued. Quarantine No. 24, prohibiting, except under permit and sterilization, the importation of corn from southeastern Asia and adjacent islands on account of certain injurious corn diseases, remains in full force.

The revised regulations provide for the entry of broomcorn for manufacturing brooms or similar articles made of broomcorn, clean shelled corn, and clean seed of other plants covered in the quarantine, except as the entry of such articles is restricted by quarantine No. 24.

The important change in these regulations is that permits are now required for entry of corn and of the seed of the other plants covered in this quarantine. This requirement is to provide for the enforcement of safeguards similar to those now enforced to prevent the spread of the European corn borer within the United States. The conditions governing the entry of broomcorn remain substantially unchanged.

QUARANTINE ON ACCOUNT OF THE EUROPEAN CORN BORER AND OTHER DANGEROUS INSECTS AND PLANT DISEASES

INTRODUCTORY NOTE

The rules and regulations under the foreign corn-borer quarantine (quarantine No. 41) have been extensively revised, the quarantine itself, however, remaining unchanged. In connection with this revision, the regulations supplemental to quarantine No. 42, which applied specifically to the entry of Indian corn or maize from Mexico, have been combined with the regulations under quarantine No. 41, and quarantine No. 42 is discontinued. Quarantine No. 24

promulgated on account of certain injurious corn diseases occurring in southeastern Asia and adjacent islands, however, remains in full force. (See footnote 1 (*b*) under regulation 1.)

The revised regulations under quarantine No. 41 provide for the entry of broomcorn for manufacturing brooms or similar articles made of broomcorn, clean shelled corn, and clean seed of the other plants covered in the notice of quarantine except as the entry of such articles is restricted in quarantine No. 24, just referred to.

The important change in these regulations is that permits are now required for the entry of corn and of the seed of the other plants covered in this quarantine. This requirement is to provide for the enforcement of safeguards similar to those now enforced to prevent the spread of the European corn borer within the United States. The conditions governing the entry of broomcorn remain substantially unchanged.

C. L. Marlatt,
Chairman Federal Horticultural Board.

NOTICE OF QUARANTINE NO. 41, WITH REGULATIONS (SECOND REVISION)

[Effective June 1, 1926]

The fact has been determined by the Secretary of Agriculture, and notice is hereby given, that dangerous plant pests, including the so-called European corn borer (*Pyrausta nubilalis* Hubn.), and also other dangerous insects, as well as plant diseases not heretofore widely prevalent or distributed within and throughout the United States, exist, as to one or more of such pests, in Europe, Asia, Africa, Dominion of Canada, Mexico, Central and South America, and other foreign countries and localities, and may be introduced into this country through importations of the stalks or other parts of Indian corn or maize, broomcorn, and related plants.

Now, therefore, I, W. M. Jardine, Secretary of Agriculture, under the authority conferred by the act of Congress approved August 20, 1912, known as the plant quarantine act (37 Stat. 315), do hereby declare that it is necessary, in order to prevent the further introduction of the dangerous plant pests mentioned above, to forbid, except as provided in the rules and regulations supplemental hereto, the importation into the United States from all foreign countries and localities of the stalk and all other parts, whether used for packing or other purposes, in the raw or unmanufactured state, of Indian corn or maize (*Zea mays L.*), broomcorn (*Andropogon sorghum* var. *technicus*), sweet sorghums (*Andropogon sorghum*), grain sorghums (*Andropogon sorghum*), Sudan grass (*Andropogon sorghum sudanensis*), Johnson grass (*Andropogon halepensis*), sugar cane (*Saccharum officinarum*), including Japanese varieties, pearl millet (*Pennisetum glaucum*), napier grass (*Pennisetum purpureum*), teosinte (*Euchlaena luxurians*), and Job's tears (*Coix lachryma-Jobi*).

Hereafter, and until further notice, by virtue of said act of Congress approved August 20, 1912, the importation into the United States of the stalk and all other parts of the plants enumerated above from all foreign countries and localities except as provided in the rules and regulations supplemental hereto, is prohibited.

Done at the city of Washington this 23d day of April, 1926.

Witness my hand and the seal of the United States Department of Agriculture.

W. M. Jardine,
Secretary of Agriculture.

REVISED RULES AND REGULATIONS SUPPLEMENTAL TO NOTICE OF QUARANTINE NO. 41 (SECOND REVISION), GOVERNING THE IMPORTATION OF INDIAN CORN OR MAIZE, BROOMCORN, AND SEEDS OF RELATED PLANTS

[Effective on and after March 1, 1927]

Regulation 1. Plant products permitted entry.

Broomcorn for manufacturing, brooms or similar articles made of broomcorn, clean shelled corn, and clean seed of the other plants covered in this quarantine may be imported under permit upon compliance with the require-

ments of these regulations, except as restricted as to certain countries and districts by special quarantines and other orders now in force and by such restrictive orders as may hereafter be promulgated.[7]

Regulation 2. Application for permits.

Persons contemplating the importation of any of the articles the entry of which is permitted under regulation 1 shall first make application to the Federal Horticultural Board for a permit, stating in the application the name and address of the exporter, the country and locality where grown, the port of arrival, and the name and address of the importer in the United States to whom the permit should be sent. A separate permit will be required for each shipment of broomcorn or brooms and the quantity of broomcorn or the number of brooms must be stated in the application. A continuing permit will be issued for the importation of corn and the other seeds.

Applications for permits should be made in advance of the proposed shipments; but if, through no fault of the importer, a shipment should arrive before a permit is received, the importation will be held in customs custody at the risk and expense of the importer for a period not exceeding 20 days pending the receipt of the permit.

Applications may be made by telegraph, in which case the information required above must be given.

Regulation 3. Issuance of permits.

On approval by the Secretary of Agriculture of an application for the importation of any of the articles the entry of which is permitted under regulation 1, a permit will be issued in quadruplicate. One copy will be furnished to the applicant for presentation to the customs officer at the port of arrival. One copy will be mailed to the collector of customs, one to the inspector of the Department of Agriculture at the port of arrival, and the fourth will be filed with the application. The permit will be addressed to the collector of customs at the port for which it is issued.

For broomcorn and brooms or similar articles made of broomcorn permits will be issued for the ports of Boston and New York and such other ports as may from time to time be approved by the Federal Horticultural Board: *Provided*, That entry at the port of New York of unmanufactured broomcorn will be limited to the period November 1 to January 31, inclusive, and that the bringing of broomcorn to New York for transshipment to Boston or other port during the remainder of the year is prohibited. A similar limitation may be placed on any other port of entry later approved.

For shelled corn and for seeds of the other plants listed in this quarantine permits will be issued for ports where the Federal Horticultural Board maintains an inspection service, and for such other ports as may be designated by the Federal Horticultural Board.

Regulation 4. Notice of arrival by permittee.

Immediately upon arrival of the importation at the port of arrival the permittee shall submit in duplicate notice to the Secretary of Agriculture, through the collector of customs, on forms provided for that purpose, stating the number of the permit, date of entry, name of ship or vessel, the country and locality where grown, name of the foreign shipper, quantity or number of bales or other containers, and marks and numbers on containers, the port of arrival, and the name of the importer or broker at the port of arrival.

Regulation 5. Conditions of entry.

The articles permitted entry under regulation 1 shall be subject to inspection at the port of first arrival in the United States by an inspector of the Department of Agriculture and to such sterilization or other treatment as shall be required by the inspector. Should any importation prove, on inspection, to be so infested with the European corn borer or other insect pest or with plant diseases that in the judgment of the inspector it can not be freed

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[7] The entry of the following plants and plant products is prohibited or restricted by specific quarantines and other restrictive orders now in force.

(*a*) Living canes of sugar cane, or cuttings or parts thereof, from all foreign countries. (Quarantine No. 15.)

(*b*) Seed and all other portions in the raw or unmanufactured state of Indian corn or maize (*Zea mays* L.), and the closely related plants, including all species of Teosinte (*Euchlaena*), Job's tears (*Coix*), *Polytoca, Chionachne,* and *Sclerachne,* from southeastern Asia (including India, Siam, Indo-China, and China), Malayan Archipelago, Australia, New Zealand, Oceania, Philippine Islands, Formosa, Japan, and adjacent islands. (Quarantine No. 24.)

from such infestation by sterilization or other treatment, the entire shipment may be refused entry.

When entry under sterilization or other treatment is permitted the importation will be released to the permittee upon the filing with the collector of customs of a bond in the amount of $5,000, or in an amount equal to the invoice value if such value be less than $5,000, with approved sureties, the conditions of which shall be that the importation shall be sterilized or otherwise treated under the supervision of the inspector; that no bale or other container thereof shall be broken, opened, or removed from the port of arrival unless and until a written notice is given to such collector by the inspector that the importation has been properly sterilized or treated; and that the importation shall be redelivered to the collector of customs within 30 days after its arrival.

If an infested shipment arrives at a port where facilities for sterilization or other treatment satisfactory to the inspector are not maintained and in his opinion its movement to a port where such facilities are maintained involves danger, its entry shall be refused.

Other conditions of entry as applying to the different classes of articles enumerated in regulation 1 are given in the following paragraphs:

Broomcorn.—All importations of broomcorn shall be baled in such manner and by such method as shall be determined by the inspector of the Department of Agriculture as adequate to prevent breakage and scattering in connection with the necessary handling in landing and sterilization. If not so baled entry may be refused.

Articles made of broomcorn.—Brooms or similar articles made of broomcorn shall be subject to sterilization unless their manufacture involves the substantial elimination of stems or such treatment of the included stems as in the judgment of the inspector shall preclude such articles from being the means of carriage of the European corn borer and of other dangerous insects and plant diseases.

Corn and other seeds.—Shipments of shelled corn and seed of the other plants covered in this quarantine which, upon inspection at the port of arrival, are found to be fouled with cobs or other portions of the plants may be refused entry.

Importation of shelled corn from Canada.—The importation of shelled corn from Canada will not be allowed unless the invoice is accompanied by an original certificate issued by a duly authorized official of that country stating that the article in question covered by the certificate was thoroughly inspected by him or under his direction at the time of shipment and was found, or is believed to be, free from infestation with the European corn borer and other insect pests and plant diseases and free from admixtures of cobs or other portions of the plant. Such certificate shall give the date of inspection, name of the grower or exporter, and the district or locality where grown:[8] *Provided*, That such certification may be waived as to Provinces or districts on the presentation of evidence satisfactory to the United States Department of Agriculture that such Provinces or districts have not been reached by the corn borer, such waiver to become effective at any authorized entry port (see regulation 3) upon the receipt of notification of such waiver from the Department of Agriculture by the customs collector of that port.

Regulation 6. Importation of shelled corn from Mexico.

On account of the frequent presence of cottonseed in shelled corn from Mexico and the attendant risk of such seed carrying the pink bollworm of cotton, the entry of all shelled corn from that country, in addition to the other requirements of these regulations, shall be conditioned upon its being ground or sterilized, including the sterilization of the bags or other containers, with such apparatus and in such a manner as shall be satisfactory to the inspector of the Department of Agriculture.

For such grinding or sterilization the corn will be released to the permittee under bond, as provided in regulation 5, second paragraph: *Provided*, That the grinding or sterilization of corn required in this regulation as a condition of entry may, at the option of the importer, be carried out on the Mexican side of the border opposite the proposed port of arrival into the United States under the full conditions indicated in this regulation except as to the bond, but with the requirement that such corn must be rebagged in new or sterilized bags and promptly offered for entry.

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[8] This is in conformity with the requirements of the rules and regulations under Quarantine No. 43 (fourth revision), with respect to the interstate movement of clean shelled corn in the United States.

The corn shall not be removed from the port of arrival nor shall any bag or other container thereof be broken or opened, except for the purpose of grinding or sterilization, until a written notice is given to the collector of customs by an inspector of the Department of Agriculture that the corn has been properly ground or sterilized and released for entry without further restrictions so far as the jurisdiction of the Department of Agriculture extends thereto.

Regulation 7. Restrictions governing the entry of shelled corn from Imperial Valley, Lower California, Mexico.

Shelled corn produced in the Imperial Valley of the State of Lower California, Mexico, may be imported under permit and on compliance with the other conditions of these regulations except as to the requirements of regulation 6 as long as it shall be determined by the Federal Horticultural Board that the pink bollworm does not exist in the State of Lower California and that effective quarantine measures are being maintained by the proper Mexican authorities prohibiting the entry into Lower California of cottonseed, seed cotton, cottonseed hulls, and lint cotton, baled or unbaled, grown in other parts of Mexico or in foreign countries other than the United States.

Regulation 8. Penalties for violation of regulations.

Permits may be revoked and other permits refused if the permittee or his agent fails to submit the notice of arrival or gives a false notice, or in any other way violates the quarantine.

The above rules and regulations are hereby adopted and shall be effective on and after March 1, 1927, and shall supersede on and after said date the rules and regulations issued December 16, 1926, under Notice of Quarantine No. 41 (second revision) and the rules and regulations issued February 21, 1920, under Notice of Quarantine No. 42, which quarantine is hereby revoked.

Done at the city of Washington this 10th day of February, 1927.

Witness my hand and the seal of the United States Department of Agriculture.

W. M. JARDINE,
Secretary of Agriculture.

PLANT QUARANTINE (T. D. 42073)

NOTICE OF QUARANTINE NO. 41 (SECOND REVISION) REGULATIONS BY THE SECRETARY OF AGRICULTURE FOR THE PREVENTION OF THE INTRODUCTION INTO THE UNITED STATES OF THE EUROPEAN CORN BORER AND OTHER DANGEROUS INSECTS AND PLANT DISEASES

TREASURY DEPARTMENT, *March 26, 1927.*

To Collectors and Other Customs Officers:

The appended regulations issued by the Secretary of Agriculture are published for the information and guidance of customs officers.

L. C. ANDREWS, *Assistant Secretary.*

[Then follows the text of the quarantine and regulations.]

EUROPEAN CORN-BORER QUARANTINE (DOMESTIC) (NO. 43)

INSTRUCTIONS TO POSTMASTERS

POST OFFICE DEPARTMENT,
THIRD ASSISTANT POSTMASTER GENERAL,
Washington, January 15, 1927.

POSTMASTER, ————.

MY DEAR SIR: There is inclosed for your information and guidance a copy of Quarantine Order No. 43 (4th revision), with regulations of the United States Department of Agriculture on account of the European corn borer, effective November 23, 1926, the purpose of which is to extend the quarantine into two

additional States, namely, Indiana and West Virginia, and to extend the areas heretofore quarantined in the States of Maine, Massachusetts, Michigan, New Hampshire, New York, Ohio, Pennsylvania, Rhode Island, and Vermont.

This quarantine also brings under the requirement of inspection and certification shelled corn and seed of broomcorn.

Under Quarantine Order 43 the following plants and plant products may not be accepted for mailing to points outside of the areas designated as infested unless accompanied with a certificate issued by an inspector of the United States Department of Agriculture, certifying that such plants and plant products are free from the corn borer:

(1) Corn and broomcorn (including all parts of the stalk), shelled corn, broomcorn seed, all sorghums and sudan grass, from all infested areas throughout the entire year.

(2) Cut flowers or entire plants of chrysanthemum, aster, cosmos, zinnia, hollyhock, and cut flowers or entire plants of gladiolus and dahlia, except the bulbs thereof without stems, from infested areas in Massachusetts, Maine, New Hampshire, and Rhode Island throughout the entire year.

(3) Celery, green beans in the pod, beets with tops, rhubarb, and oat and rye straw as such or when used as packing from infested areas in Massachusetts, Maine, New Hampshire, and Rhode Island between June 1 and December 31 only.

Under paragraph 1, section 467, Postal Laws and Regulations, the acceptance for mailing of the plants and plant products referred to from the infested areas designated in the quarantine order and amendments thereto is subject to the restrictions of that order, and all concerned will please be governed accordingly.

Sincerely yours,

R. S. REGAR,
Third Assistant Postmaster General.

NOTICE OF PUBLIC HEARING TO CONSIDER THE ADVISABILITY OF EXTENDING THE QUARANTINE ON ACCOUNT OF EUROPEAN CORN BORER TO THE STATES OF CONNECTICUT AND NEW JERSEY

WASHINGTON, D. C., *January 22, 1927.*

The Secretary of Agriculture has information that the European corn borer (*Pyrausta nubilalis* Hubn.), a dangerous insect not heretofore widely prevalent or distributed within and throughout the United States, and which has been known for some time to exist in portions of the States of Massachusetts, New Hampshire, Maine, Vermont, Rhode Island, New York, Pennsylvania, Ohio, and Michigan, and more recently in the States of Indiana and West Virginia, has now been discovered also in the States of Connecticut and New Jersey.

It appears necessary, therefore, to consider the advisability of including the States of Connecticut and New Jersey under the quarantine on account of this pest and of restricting or prohibiting the movement from these States, or from any infested districts determined therein, of corn and broomcorn (including all parts of the stalk), all sorghums and sudan grass, and, in addition, from the State of Connecticut, celery, green beans in the pod, beets with tops, rhubarb, oat and rye straw as such or when used as packing, cut flowers or entire plants of chrysanthemum, aster, cosmos, zinnia, hollyhock, and cut flowers or entire plants of gladiolus and dahlia, except the bulbs thereof without stems.

Notice is, therefore, herbey given that, in accordance with the plant quarantine act of August 20, 1912 (37 Stat. 315), as amended by the act of Congress approved March 4, 1917 (39 Stat. 1134, 1165), a public hearing will be held at the United States Department of Agriculture, Federal Horticultural Board, Washington, D. C., at 10 a. m., February 8, 1927, in order that any person interested in the proposed extension of the quarantine may appear and be heard either in person or by attorney.

At this hearing consideration will also be given to an increase of territory in New York designated as infested by the European corn borer, involving the counties of Kings, Queens, Richmond, and Nassau, Long Island, as well as to any other areas which may be determined as infested prior to the hearing. The present known infestation in Connecticut is limited to the townships of East Lyme, Groton, New London, Stonington, and Waterford, in the county

of New London, the township of Milford in New Haven County, and the township of Fairfield in Fairfield County; and in New Jersey, to the cities of Bayonne and Jersey City.

R. W. DUNLAP,
Acting Secretary of Agriculture.

CORN-BORER QUARANTINE HEARING CALLED FOR FEBRUARY 8

[Press notice]

JANUARY 24, 1927.

A public hearing to consider the advisability of extending the European corn-borer quarantine to include Connecticut and New Jersey will be held February 8, at 10 a. m., by the Federal Horticultural Board, United States Department of Agriculture. The hearing is held in accordance with the requirements of the plant quarantine act to afford any person interested in the proposed extension an opportunity to be heard either in person or by attorney.

The corn borer has been found in New Jersey in the cities of Bayonne and Jersey City. In Connecticut infestation is limited to certain townships in the counties of New London, New Haven, and Fairfield. Infestations have existed for some time in portions of Massachusetts, New Hampshire, Maine, Vermont, Rhode Island, New York, Pennsylvania, Ohio, and Michigan, and more recently have become established in Indiana and West Virginia.

The corn-borer quarantine restricts or prohibits the movement of corn, broomcorn, sorghum, and sudan grass from all areas determined as infested in States invaded by this pest, and in addition prohibits the movement from certain of the New England areas of celery, green beans in the pod, beets with tops, rhubarb, oat and rye straw as such or when used as packing, and cut flowers or entire plants of chrysanthemum, aster, cosmos, zinnia, hollyhock, gladiolus, and dahlia.

Consideration will also be given to extending the quarantined territory in New York to include the counties of Kings, Queens, Richmond, and Nassau, Long Island, as well as any other areas in the State which may be determined as infested prior to the meeting.

NOTICE OF PUBLIC HEARING TO CONSIDER THE ADVISABILITY OF EXTENDING THE QUARANTINE ON ACCOUNT OF EUROPEAN CORN BORER TO THE STATE OF ILLINOIS

WASHINGTON, D. C., *February 3, 1927.*

The Secretary of Agriculture has information that the European corn borer (*Pyrausta nubilalis* Hubn.), a dangerous insect not heretofore widely prevalent or distributed within and throughout the United States, and which has been known for some time to exist in portions of the States of Massachusetts, New Hampshire, Maine, Vermont, Rhode Island, New York, Pennsylvania, Ohio, and Michigan, and more recently in the States of Indiana and West Virginia, has now been discovered also in the State of Illinois.

It appears necessary, therefore, to consider the advisability of including the State of Illinois under the quarantine on account of this pest and of restricting or prohibiting the movement from this State, or from any infested districts determined therein, of corn and broomcorn (including all parts of the stalk), all sorghums and sudan grass.

Notice is therefore hereby given that, in accordance with the plant quarantine act of August 20, 1912 (37 Stat. 315), as amended by the act of Congress approved March 4, 1917 (39 Stat. 1134, 1165), a public hearing will be held at the United States Department of Agriculture, Federal Horticultural Board, Washington, D. C., at 10 a. m., February 8, 1927, in order that any person interested in the proposed extension of the quarantine may appear and be heard either in person or by attorney.

W. M. JARDINE,
Secretary of Agriculture.

CORN-BORER QUARANTINE HEARING CALLED FOR FEBRUARY 8

[Press notice]

FEBRUARY 3, 1927.

A public hearing will be held February 8, at 10 a. m., by the Federal Horticultural Board, United States Department of Agriculture, to consider the advisability of extending the European corn-borer quarantine to include the State of Illinois. This action is made necessary by the occurrence of the corn borer in Kankakee County.

This hearing will be held in accordance with the requirements of the plant quarantine act to accord any person interested in the proposed extension an opportunity to be heard either in person or by attorney. Notice of a hearing on this same day had been issued previously by the department to consider extending the quarantine to include New Jersey and Connecticut, since the corn borer has recently been found to occur in certain sections in those States. Consideration will be given at this hearing, therefore, to the proposed extension of the quarantine to include all territory now known to be infested.

SECRETARY OF AGRICULTURE APPROVES EXTENSION OF CORN-BORER QUARANTINE

[Press notice]

FEBRUARY 17, 1927.

Secretary of Agriculture Jardine has approved the extension of the corn-borer quarantine recommended by the Federal Horticultural Board following the public hearing at the Department of Agriculture February 8, 1927. A revision of the regulations under the corn-borer quarantine, indicating these extensions to become effective March 1, will be issued shortly.

The extensions involve the inclusion in the infested area of portions of two new States—Connecticut and New Jersey—and minor additions in Rhode Island and New York, both of which States were already included in the quarantine. The area brought under quarantine in Connecticut consists of the towns of East Lyme, Groton, New London, Stonington, and Waterford, in New London County. This area adjoins the old infested areas in Rhode Island and the restrictions on the movement of articles will be the same as those now applying to the areas at present under quarantine in New England. The area brought under quarantine in New Jersey—the towns of Bayonne and Jersey City in Hudson County—is contiguous to Staten Island and New York City and the restrictions on the movement of articles as to such areas are the same as those now applying to areas in New York and other States west of New England quarantined on account of the corn borer.

The Secretary has approved for the present the elimination from quarantine restrictions of three isolated areas—the town of Milford, in New Haven County, Conn., the township of Galien, Berrien County, Mich., and the township of Yellow Head, in Kankakee County, Ill. As to these areas, the infestation was limited to from one to seven larvae, found in each instance at a single spot. These areas subsequently were intensively scouted and no other infestation found. Furthermore, they either have been or are in the process of being radically cleaned up as to all corn so as to eliminate any possibility of overlooking infected stalks. In the judgment of the board this situation entirely eliminates any risk of spread from these localities in connection with the movement of last year's crop. Naturally, these areas will be kept under close observation so that action can be promptly taken should any real risk develop. The inclusion of these areas with the intervening townships in the quarantined area would open up a considerable area of clean country to the movement of infested articles and thus actually promote the spread of the borer.

QUARANTINE ON ACCOUNT OF THE EUROPEAN CORN BORER

INTRODUCTORY NOTE

This revision (fifth) of the quarantine on account of the European corn borer (No. 43) is made necessary by the spread of this pest into two new States—namely, Connecticut and New Jersey. Otherwise, the language and scope of the quarantine remain unchanged.

The regulations under this quarantine have been changed to indicate the portions of these new States designated by the Secretary of Agriculture as infested with the corn borer, and to add certain new areas which have been determined as infested in the States of Rhode Island and New York—namely, in Rhode Island, the towns of Charlestown and Westerley, in Washington County; in New York, the counties of Kings, Queens, Nassau, and Richmond. No other material changes are made in the regulations except the rewriting of regulation 11, which relates to shipments in interstate movement by the United States Department of Agriculture of the plants and plant products restricted as to such movement under this quarantine.

C. L. MARLATT,
Chairman Federal Horticultural Board.

NOTICE OF QUARANTINE NO. 43 (FIFTH REVISION)

[Effective on and after March 1, 1927. Amends and supersedes Quarantine No. 43, fourth revision, as amended]

The fact has been determined by the Secretary of Agriculture, and notice is hereby given, that an injurious insect, the European corn borer (*Pyrausta nubilalis* Hubn.), new to and not heretofore widely prevalent or distributed within and throughout the United States, exists in the States of Massachusetts, New Hampshire, Maine, Vermont, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Ohio, Michigan, Indiana, and West Virginia.

Now, therefore, I, W. M. Jardine, Secretary of Agriculture, under authority conferred by section 8 of the plant quarantine act of August 20, 1912 (37 Stat. 315), as amended by the act of Congress approved March 4, 1917 (39 Stat. 1134, 1165), do hereby quarantine the States of Massachusetts, New Hampshire, Maine, Vermont, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Ohio, Michigan, Indiana, and West Virginia, and by this notice of quarantine No. 43 (fifth revision) do order that the following articles shall not be moved or allowed to be moved interstate from any areas in said quarantined States designated, in the regulations supplemental hereto, as the areas infested with the corn borer in manner or method or under conditions other than those prescribed in the rules and regulations hereinafter made and amendments thereto: *Provided*, That the limitation of the restrictions of this quarantine, as provided in the rules and regulations supplemental hereto, to the areas in a quarantined State now, or which may hereafter be, designated by the Secretary of Agriculture as infested by the European corn borer, shall be conditioned upon the establishment and enforcement by the State of such control measures in cooperation with the United States Department of Agriculture with respect to the designated infested areas as in the judgment of the Secretary of Agriculture shall be deemed adequate to effect the control and prevent the spread of the European corn borer.

(1) Corn and broomcorn (including all parts of the stalk), all sorghums, sudan grass, celery, green beans in the pod, beets with tops, rhubarb, oat and rye straw as such or when used as packing, cut flowers or entire plants of chrysanthemum, aster, cosmos, zinnia, hollyhock, and cut flowers or entire plants of gladiolus and dahlia, except the bulbs thereof without stems, from infested areas in Massachusetts, New Hampshire, Maine, Connecticut, and Rhode Island.

(2) Corn and broomcorn (including all parts of the stalk), all sorghums, and sudan grass from infested areas in Vermont, New York, New Jersey, Pennsylvania, Ohio, Michigan, Indiana, and West Virginia.

Done at the city of Washington this 15th day of February, 1927.

Witness my hand and the seal of the United States Department of Agriculture.

W. M. JARDINE,
Secretary of Agriculture.

RULES AND REGULATIONS SUPPLEMENTAL TO NOTICE OF QUARANTINE NO. 43 (FIFTH REVISION)

Regulation 1. Definitions.

For the purposes of these regulations the following words, names, and terms shall be construed, respectively, to mean:

(*a*) Corn borer: The insect known as the European corn borer (*Pyrausta nubilalis* Hubn.).

(*b*) Quarantined area: Any State quarantined by the Secretary of Agriculture upon determination by him that the corn borer exists therein.

(*c*) Infested area: Those portions of any quarantined State designated by the Secretary of Agriculture as infested with the corn borer.

(*d*) Inspector: An inspector of the United States Department of Agriculture.

Regulation 2. Plants and plant products subject to restriction.

Conditioned upon compliance on the part of the State concerned with the proviso in notice of quarantine No. 43 (fifth revision), the restrictions on the movement of the plants and plant products enumerated in said notice of quarantine will be limited to such products originating in or moving from the areas in such State now or hereafter designated by the Secretary of Agriculture as infested.

The restrictions on the movement of corn and broomcorn (including all parts of the stalk), all sorghums, and sudan grass, shall be enforced as to all areas designated as infested.

Until further notice, the restrictions on the movement of celery, green beans in the pod, beets with tops, rhubarb, oat and rye straw as such or when used as packing, cut flowers or entire plants of chrysanthemum, aster, cosmos, zinnia, hollyhock, and cut flowers or entire plants of gladiolus and dahlia, except the bulbs thereof, without stems, shall be enforced only as to infested areas in Massachusetts, New Hampshire, Maine, Connecticut, and Rhode Island.

No restrictions are placed by this quarantine and the regulations supplemental thereto on the interstate movement of the articles enumerated in said notice of quarantine when they shall have been manufactured, processed, or treated in such manner that in the judgment of the inspector no infestation could be transmitted.

Regulation 3. Infested areas.

The fact has been determined by the Secretary of Agriculture that the corn borer exists in the areas designated below in the States of Massachusetts, New Hampshire, Maine, Vermont, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Ohio, Michigan, Indiana, and West Virginia, and such counties, cities, and towns (or townships) in each State are designated as infested areas for the purpose of these regulations:

MASSACHUSETTS.—Counties of Barnstable, Bristol, Dukes, Essex, Middlesex, Nantucket, Norfolk, Plymouth, and Suffolk; and Ashburnham, Berlin, Blackstone, Bolton, Boylston, Clinton, Douglass, Fitchburg, Gardner, Grafton, Harvard, Holden, Hopedale, Hubbardston, Lancaster, Leominster, Lunenburg, Mendon, Milford, Millbury, Millville, Northboro, Northbridge, Princeton, Rutland, Shrewsbury, Southboro, Sterling, Sutton, Upton, Uxbridge, Westboro, West Boylston, Westminster, and Worcester, in *Worcester County*.

NEW HAMPSHIRE.—Counties of Belknap, Hillsboro, Merrimack, Rockingham, and Strafford; and Brookfield, Effingham, Moultonboro, Ossipee, Tuftonboro, Wakefield, and Wolfeboro, in *Carroll County;* Stoddard, in *Cheshire County;* Alexandria, Ashland, Bridgewater, Bristol, Campton, Canaan, Groton, Hebron, Holderness, Orange, and Plymouth, in *Grafton County*.

MAINE.—County of York; and Baldwin, Cape Elizabeth, Cumberland, Falmouth, Freeport, Gorham, Portland, Scarboro, Sebago, South Portland, Standish, Westbrook, Windham, and Yarmouth, in *Cumberland County;* Porter in *Oxford County*.

VERMONT.—Bennington and Pownal, in *Bennington County*.

RHODE ISLAND.—Counties of Bristol and Newport; and Coventry, East Greenwich, and Warwick, in *Kent County;* Central Falls, Cranston, Cumberland, East Providence, Johnston, Lincoln, North Providence, North Smithfield, Pawtucket, Providence, Smithfield, and Woonsocket, in *Providence County;* Charlestown, Narragansett, North Kingston, South Kingston, and Westerley, in *Washington County*.

CONNECTICUT.—East Lyme, Groton, New London, Stonington, and Waterford, in *New London County*.

NEW YORK.—Counties of Albany, Allegany, Broome, Catteraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Columbia, Cortland, Erie, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Kings, Lewis, Livingston, Madison, Monroe, Montgomery, Nassau, Niagara, Oneida, Onondaga, Ontario, Orleans, Oswego, Otsego, Queens, Rensselaer, Richmond, St. Lawrence, Saratoga, Schenectady, Schoharie, Schuyler, Seneca, Steuben, Tioga, Tompkins, Warren, Washington, Wayne, Wyoming, and Yates.

NEW JERSEY.—Bayonne and Jersey City, in *Hudson County*.

PENNSYLVANIA.—Counties of Allegheny, Armstrong, Beaver, Blair, Bradford, Butler, Cambria, Cameron, Center, Clarion, Clearfield, Clinton, Crawford, Elk, Erie, Forest, Indiana, Jefferson, Lawrence, Lycoming, McKean, Mercer, Potter,

Sullivan, Susquehanna, Tioga, Venango, Warren, Washington, and Westmoreland; and Jackson in *Huntington County.*

OHIO.—Counties of Ashland, Ashtabula, Carroll, Columbiana, Crawford, Cuyahoga, Defiance, Erie, Fulton, Geauga, Hancock, Harrison, Henry, Huron, Jefferson, Lake, Lorain, Lucas, Mahoming, Medina, Ottawa, Paulding, Portage, Putnam, Richland, Sandusky, Seneca, Stark, Summit, Trumbull, Wayne, Williams, Wood, and Wyandot; and Bath, Jackson, Monroe, Perry, and Richland, in *Allen County;* Blanchard, Cessna, Goshen, Jackson, Liberty, Pleasant, and Washington, in *Hardin County;* Berlin, Hardy, Knox, Mechanic, Monroe, Paint, Prairie, Ripley, Salt Creek, Walnut Creek, and Washington, in *Holmes County;* Berlin, Middlebury, and Pike, in *Knox County;* Big Island, Claridon, Grand, Marion, Montgomery, Prairie, Salt Rock, Scott, and Tully, in *Marion County;* Canaan, Cardington, Congress, Franklin, Gilead, North Bloomfield, Perry, Troy, and Washington, in *Morrow County;* Dover, Fairfield, Franklin, Goshen, Lawrence, Mill, Sandy, Sugar Creek, Uhrichville, Warren, and Wayne, in *Tuscarawas County;* Hoaglin, Jackson, Monterey, Ridge, and Washington, in *Van Wert County.*

MICHIGAN.—Counties of Bay, Branch, Calhoun, Genesee, Hillsdale, Huron, Ingham, Jackson, Lapeer, Lenawee, Livingston, Macomb, Monroe, Oakland, Sanilac, Saginaw, Shiawassee, St. Clair, Tuscola, Washtenaw, and Wayne; and Brady, Charleston, Climax, Comstock, Pavilion, Portage, Richland, Ross, Schoolcraft, and Wakeshma, in *Kalamazoo County;* Burr Oak, Colon, Fawnriver, and Lake, in *St. Joseph County.*

INDIANA.—Counties of DeKalb and Steuben; and Adams, Cedar Creek, Eel River, Jackson, Jefferson, Maumee, Milan, Perry, St. Joseph, Scipio, Springfield, Washington, and Wayne, in *Allen County;* Bloomfield, Clay, Clear Creek, Greenfield, Johnson, Lima, Milford, and Springfield, in *Lagrange County;* Albion, Allen, Elkhart, Green, Jefferson, Noble, Orange, Swan, Wayne, and York, in *Noble County;* Smith and Thorn Creek, in *Whitley County.*

WEST VIRGINIA.—Counties of Brooke, Hancock, and Ohio.

Regulation 4. Control of movement of the restricted plants and plant products.

The interstate movement of the articles enumerated in notice of quarantine No. 43 (fifth revision) shall not be allowed to any point outside of the areas designated as infested by the corn borer, unless and until such articles have been inspected by an inspector of the United States Department of Agriculture and certified to be free from the corn borer: *Provided,* That certification for movement of corn and broomcorn shall be restricted to clean shelled corn and clean seed of broomcorn: *Provided further,* That with respect to any article found to be infested with the European corn borer disinfection or treatment may be authorized by the inspector as a condition of certification for interstate movement when in the judgment of the said inspector such disinfection or treatment will eliminate all risk of transmission of infestation—such treatment to be under the supervision of and satisfactory to the said inspector.

The restrictions of these regulations shall apply throughout the year to corn, broomcorn (including all parts of the stalk), all sorghums and sudan grass, cut flowers or entire plants of chrysanthemum, aster, cosmos, zinnia, hollyhock, and cut flowers or entire plants of gladiolus and dahlia, except the bulbs thereof without stems; and for the period between June 1 and December 31 to celery, green beans in the pod, beets with tops, rhubarb, and oat and rye straw as such or when used as packing.

No restrictions are placed on the movement from an area not under regulation through a regulated area of the articles covered in notice of quarantine No. 43 (fifth revision) when such movement is made on a through bill of lading.

Regulation 5. Marking and certification a condition of interstate transportation.

Every car, box, bale, or other container of plants and plant products of which inspection is required by these regulations shall be plainly marked with the name and address of the consignor and the name and address of the consignee, and shall bear a certificate showing that the contents have been inspected by the United States Department of Agriculture and found to be free from corn-borer infestation.

The inspection certificates in the case of carload and other bulk shipments shall accompany the waybills, conductors' manifests, memoranda, or bills of lading pertaining to such shipments.

Certificates of inspection will issue only for plants and plant products which have been actually inspected by the United States Department of Agriculture:

Provided, That when in the case of individual premises or districts within an infested area in any of the quarantined States it shall be determined by competent inspection that the corn borer does not infest any of the cultivated products grown in such premises or districts and that said premises or districts have been maintained in such condition of freedom from weeds or vegetable growths other than the cultivated products designated as to prevent possibility of occurrence of the corn borer through such agencies, a certificate good for not to exceed 30 days may be issued by the inspector of the Department of Agriculture stating that such premises or districts have been inspected and found free from the corn borer and free from weeds or other extraneous vegetation capable of harboring the corn borer, and authorizing the shipment from said premises or districts of any of the articles subject to this quarantine grown therein. Copies of such certificate shall be attached to small packages, or in the case of bulk shipments, to waybills, conductors' manifests, memoranda, or bills of lading pertaining thereto. Reinspection of the premises or district shall be a condition of the granting of further certification.

Regulation 6. Conditions under which plants and plant products originating outside of the infested areas may be shipped from points within the infested areas.

Plants and plant products of which the interstate movement is restricted by these regulations which originate outside of the infested area quarantined for the corn borer may be shipped interstate from points within the infested areas to points outside such areas under permit from the Secretary of Agriculture. Permits will issue only for plants and plant products which are not infested with the corn borer, and transportation companies shall not accept or move interstate from within the infested areas such plants and plant products originating outside the infested areas unless each shipment is accompanied by a permit issued by the United States Department of Agriculture.

Regulation 7. Conditions governing inspection and issuance of certificates.

Persons intending to move or allow to be moved interstate plants and plant products for which certificates of inspection are required by these regulations will make application therefor as far as possible in advance of the probable date of shipment. Applications should show the nature and quantity of the plants or plant products which it is proposed to move together with their exact location and, if practicable, the contemplated date of shipment. Applicants for inspection will be required to assemble the articles to be inspected and so to place them that they can be readily examined. If not so placed, inspection may be refused. All charges for storage, cartage, and labor incident to inspection other than the services of inspectors shall be paid by the shipper.

Regulation 8. Thorough cleaning required of cars, boats, and other vehicles before moving interstate.

Cars, boats, and other vehicles which have been used in transporting within the infested areas plant products covered by these regulations or any other articles which may hereafter be made subject thereto shall not be moved or allowed to move interstate unless the same shall have been thoroughly swept out and cleaned by the carrier at the point of unloading or destination of all litter and rubbish from such regulated articles. No litter, rubbish, or refuse from any such plants and plant products shall be moved or allowed to move interstate.

Regulation 9. Provision for inspection of restricted plants and plant products in transit.

Any car, box, bale, or other container of plants or plant products moved or offered for movement interstate, which contains or may contain plants or plant products the movement of which is prohibited or restricted by this quarantine and these regulations, shall be subject to inspection by duly authorized inspectors of the United States Department of Agriculture at place of shipment or destination or at any point en route.

Regulation 10. Penalties for violation of these rules and regulations.

Permits and certificates issued by the Federal Horticultural Board as a condition of interstate movement of plants or plant products permitted by these rules and regulations may be withdrawn and further permits and certification may be refused to any shipper who violates any of said rules and regulations.

Regulation 11. Shipments by United States Department of Agriculture.

Plants and plant products the interstate movement of which is restricted by these rules and regulations may be moved by the United States Department of Agriculture, when intended for experimental or scientific purposes, on such

conditions and under such safeguards as may be prescribed by the Federal Horticultural Board.

This notice of quarantine, effective March 1, 1927, amends and supersedes notice of quarantine No. 43, fourth revision, promulgated November 23, 1926, and shall be in force until further notice.

Done at the city of Washington this 15th day of February, 1927.

Witness my hand and the seal of the United States Department of Agriculture.

W. M. JARDINE,
Secretary of Agriculture.

VIOLATION OF THE PLANT QUARANTINE ACT

The plant quarantine act of August 20, 1912 (37 Stat. 315), provides that any person who shall violate any of the provisions of this act, or who shall forge, counterfeit, alter, deface, or destroy any certificate provided for in this act or in the regulations of the Secretary of Agriculture, shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine not exceeding $500 or by imprisonment not exceeding one year, or both such fine and imprisonment, in the discretion of the court.

NOTICE TO TRANSPORTATION COMPANIES

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
FEDERAL HORTICULTURAL BOARD,
Washington, D. C., February 15, 1927.

SIR: You are requested to date and sign the blank receipt below, indicating your official title, and return this letter to the Secretary of Agriculture in the inclosed penalty envelope, which requires no postage.

Notice is hereby given to the transportation company you represent, as follows:

That the Secretary of Agriculture, under authority of the act approved August 20, 1912, known as "the plant quarantine act" (37 Stat. 315), as amended by the act of Congress approved March 4, 1917 (39 Stat. 1134, 1165), has, by quarantine notice No. 43 (fifth revision), effective on and after March 1, 1927, quarantined the States of Massachusetts, New Hampshire, Maine, Vermont, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Ohio, Michigan, Indiana, and West Virginia, as infested with the European corn borer, and has ordered that the interstate movement of (1) corn and broomcorn (including all parts of the stalk), all sorghums, sudan grass, celery, green beans in the pod, beets with tops, rhubarb, oat and rye straw as such or when used as packing, cut flowers or entire plants of chrysanthemum, aster, cosmos, zinnia, hollyhock, and cut flowers or entire plants of gladiolus and dahlia, except the bulbs thereof without stems, from infested areas in Massachusetts, New Hampshire, Maine, Connecticut, and Rhode Island; and (2) corn and broomcorn (including all parts of the stalk), all sorghums, and sudan grass from infested areas in Vermont, New York, New Jersey, Pennsylvania, Ohio, Michigan, Indiana, and West Virginia, to any point not located in said quarantined areas shall be made only in accordance with the rules and regulations prescribed in said notice of quarantine No. 43 (fifth revision), and amendments which may hereafter be made thereto.

Copy of the notice is inclosed herewith.

W. M. JARDINE,
Secretary of Agriculture.

(Inclosure.)

(Do not detach this receipt)

Received this notice and the copy of quarantine No. 43 (fifth revision), with rules and regulations supplemental thereto mentioned therein this _____ day of _____, 1927.

_____
(Signature)

_____
(Title)

[Sent to 387 common carriers doing business in or through the quarantined States.]

NOTICE TO GENERAL PUBLIC THROUGH NEWSPAPERS

United States Department of Agriculture, Office of the Secretary, Washington, D. C., February 15, 1927. Notice is hereby given that the Secretary of Agriculture, under authority conferred on him by the plant quarantine act of August 20, 1912 (37 United States Statutes 315), as amended, has promulgated a revision (fifth) of notice of quarantine No. 43 and the rules and regulations supplemental thereto, on account of the European corn borer, effective March 1, 1927. This revised quarantine and rules and regulations supplemental thereto prohibit or restrict the interstate movement from the infested areas of Massachusetts, New Hampshire, Maine, Connecticut, and Rhode Island, of corn and broomcorn (including all parts of the stalk), all sorghums, sudan grass, celery, green beans in the pod, beets with tops, rhubarb, oat and rye straw as such or when used as packing, cut flowers or entire plants of chrysanthemum, aster, cosmos, zinnia, hollyhock, and cut flowers or entire plants of gladiolus and dahlia, except the bulbs thereof without stems; and from the infested areas of Vermont, New York, New Jersey, Pennsylvania, Ohio, Michigan, Indiana, and West Virginia, of corn and broomcorn (including all parts of the stalk), all sorghums, and sudan grass. Copies of said revised quarantine and rules and regulations supplemental thereto may be obtained from the Federal Horticultural Board, Department of Agriculture, Washington, D. C. W. M. JARDINE, Secretary of Agriculture.

[Published in following newspapers: Herald, Boston, Mass., February 22, 1927; Express and Advertiser, Portland, Me., February 22, 1927; Union Leader, Manchester, N. H., February 21, 1927; Free Press, Burlington, Vt., February 22, 1927; Providence Journal, Providence, R. I., February 21, 1927; The World, New York, N. Y., February 21, 1927; Gazette-Times, Pittsburgh, Pa., February 21, 1927; Cleveland Press, Cleveland, Ohio, February 22, 1927; The News, Detroit, Mich., February 21, 1927; Hartford Times, Hartford, Conn., February 21, 1927; Trenton Times, Trenton, N. J., February 21, 1927; Indianapolis News, Indianapolis, Ind., February 21, 1927; and Wheeling Daily News, Wheeling, W. Va., February 22, 1927.]

INSTRUCTIONS TO POSTMASTERS

POST OFFICE DEPARTMENT,
THIRD ASSISTANT POSTMASTER GENERAL,
Washington, March 30, 1927.

Postmaster, ————.

MY DEAR SIR: There is inclosed for your information and guidance a copy of Quarantine Order No. 43 (5th revision), with regulations, of the United States Department of Agriculture on account of the European corn borer, effective March 1, 1927, the purpose of which is to extend the quarantine into two additional States, namely, Connecticut and New Jersey, and to extend the areas heretofore quarantined in the States of New York and Rhode Island.

Under Quarantine Order 43, the following plants and plant products may not be accepted for mailing to points outside of the areas designated as infested unless accompanied with a certificate issued by an inspector of the United States Department of Agriculture certifying that such plants and plant products are free from the corn borer:

(1) Corn and broomcorn (including all parts of the stalk), shelled corn, broomcorn seed, all sorghums and sudan grass, from all infested areas, throughout the entire year.

(2) Cut flowers or entire plants of chrysanthemum, aster, cosmos, zinnia, hollyhock, and cut flowers or entire plants of gladiolus and dahlia, except the bulbs thereof without stems, from infested areas in Connecticut, Massachusetts, Maine, New Hampshire and Rhode Island, throughout the entire year.

(3) Celery, green beans in the pod, beets with tops, rhubarb, and oat and rye straw as such or when used as packing from infested areas in Connecticut, Massachusetts, Maine, New Hampshire and Rhode Island, between June 1 and December 31 only.

Under paragraph 1, section 467, Postal Laws and Regulations, the acceptance for mailing of the plants and plant products referred to from the infested areas designated in the quarantine order and amendments thereto, is subject to the restrictions of that order, and all concerned will please be governed accordingly.

Sincerely yours,

R. S. REGAR,
Third Assistant Postmaster General.

JAPANESE-BEETLE QUARANTINE (NO. 48)

REVISED JAPANESE-BEETLE QUARANTINE BECOMES EFFECTIVE APRIL 1

[Press notice]

MARCH 23, 1927.

Revised regulations under the Japanese-beetle quarantine have been signed by Secretary of Agriculture Jardine, and will become effective April 1. No change has been made in the quarantine itself, and the principal purpose of the revision was to incorporate in the regulations such supplemental matter as has hitherto been included in the appendix. Rewording and rearrangement of the regulations should eliminate some of the difficulty and confusion resulting from the necessity of cross reference.

The restrictions on interstate movement are taken up in the regulations in accordance with the classification of the restricted articles in the quarantine: (1) Farm, garden, and orchard products of all kinds; (2) grain and forage crops of all kinds; (3) nursery, ornamental, and greenhouse stock, and all other plants; and (4) sand, soil, earth, peat, compost, and manure. Persons interested in the movement of any of the restricted articles are advised by the Federal Horticultural Board to make careful study of the restrictions applying to the particular article or class of articles concerned.

The quarantine applies to all of New Jersey, and portions of New York, Connecticut, Delaware, and Pennsylvania.

QUARANTINE ON ACCOUNT OF JAPANESE BEETLE

Revised Regulations Under Quarantine No. 48

[Effective on and after April 1, 1927]

INTRODUCTORY NOTE

In connection with this revision of the regulations under quarantine No. 48, on account of the Japanese beetle, no change has been made in the quarantine itself. The revision of the regulations, which has been very extensive as to wording and arrangement, does not, however, materially alter the restrictions enforced under the quarantine on the movement of the articles concerned. The important change has been the incorporation under the appropriate regulations of matter supplemental to the regulations hitherto included in the appendix. Much of the appendix was substantially of the nature of regulation and, therefore, its inclusion in the regulations would seem to be logical and at the same time eliminates the difficulty and possible confusion resulting from the necessity of cross reference.

The restrictions on interstate movement are taken up in the regulations in accordance with the classification of the restricted articles in the quarantine, namely, (1) farm, garden, and orchard products of all kinds (see regulation 5); (2) grain and forage crops of all kinds (see regulation 5); (3) nursery, ornamental, and greenhouse stock, and all other plants (see regulation 6); and (4) sand, soil, earth, peat, compost, and manure (see regulation 7). Persons interested in the movement of any of the restricted articles should make a careful study of the restriction, applying to the particular article or class of articles concerned.

C. L. MARLATT,
Chairman, Federal Horticultural Board.

NOTICE OF QUARANTINE NO. 48 (FIFTH REVISION)

(Effective on and after October 11, 1926. Supersedes No. 48, revised)

Under authority conferred by the plant quarantine act of August 20, 1912 (37 Stat. 315), as amended by the act of Congress approved March 4, 1917 (39 Stat. 1134, 1165), having determined that a quarantine of the States of New Jersey, Pennsylvania, Delaware, New York, and Connecticut is necessary to prevent the further spread of a dangerous insect known as the Japanese

beetle (*Popillia japonica* Newm.), new to and not heretofore widely prevalent or distributed within and throughout the United States, I, W. M. Jardine, Secretary of Agriculture, do hereby quarantine the said States of New Jersey, Pennsylvania, Delaware, New York, and Connecticut, and by this Notice of Quarantine No. 48 (revised) do order that (1) farm, garden, and orchard products of all kinds; (2) grain and forage crops of all kinds; (3) nursery ornamental, and greenhouse stock, and all other plants; and (4) sand, soil, earth, peat, compost, and manure shall not be moved or allowed to be moved interstate from any of said States in manner or method or under conditions other than those prescribed in the rules and regulations supplemental hereto: *Provided*, That the restrictions of this quarantine and the rules and regulations supplemental thereto may be limited to the areas in a quarantined State now, or which may hereafter be, designated by the Secretary of Agriculture as infested by the Japanese beetle, or immediately threatened with such infestation, when said State shall have provided for and enforced such control measures with respect to such designated areas as, in the judgment of the Secretary of Agriculture, shall be deemed adequate to effect the control and prevent the spread of the Japanese beetle.

Done at the city of Washington this 2d day of October, 1926.

Witness my hand and the seal of the United States Department of Agriculture.

W. M. JARDINE,
Secretary of Agriculture.

RULES AND REGULATIONS (SIXTH REVISION) SUPPLEMENTAL TO NOTICE OF QUARANTINE NO. 48

(Effective on and after April 1, 1927, and superseding the regulations heretofore issued under the Japanese beetle quarantine)

Regulation 1. Definitions.

For the purpose of these regulations the following words, names, and terms as used herein shall be construed, respectively, to mean:

(*a*) *Japanese beetle.* The insect known as the Japanese beetle (*Popillia japonica* Newm.).

(*b*) *Quarantined area.* Any State quarantined by the Secretary of Agriculture to prevent the spread of the Japanese beetle.

(*c*) *Regulated area.* The district—States or portions thereof—quarantined on account of the Japanese beetle, and designated by the Secretary of Agriculture as infested or threatened with infestation.

(*d*) *Farm products.* Those products included in quarantine 48 under items (1) and (2); namely, farm, garden, and orchard products of all kinds; grain and forage crops of all kinds.

(*e*) *Nursery and ornamental stock.* Nursery, ornamental, and greenhouse stock and all other plants, plant roots, or portions of plants for ornamental use.

(*f*) *Sand, soil, earth, peat, compost, and manure.* Sand, soil, earth, peat, compost, and manure of any kind and as to either bulk movement or in connection with farm products or nursery and ornamental stock.

(*g*) *Inspector.* An inspector of the United States Department of Agriculture.

(*h*) *Certified sand, soil, earth, peat, compost, and manure.* Sand, soil, earth, peat, compost, or manure determined by the inspector as uninfested by the Japanese beetle and so certified.

(*i*) *Certified greenhouse.* A greenhouse which has complied to the satisfaction of the inspector with the conditions imposed in regulation 6. This term may apply also to potting beds, heeling-in areas, hotbeds, coldframes, or similar plots safeguarded and treated in manner and method satisfactory to the inspector.

Regulation 2. Plants and plant products and other articles subject to restriction.

Conditioned upon the compliance on the part of the State concerned with the proviso in Notice of Quarantine No. 48 (fifth revision), the restrictions on the interstate movement of plants and plant products and other articles enumerated in said Notice of Quarantine will be limited to such articles when originating in or moving from the areas in such State now or hereafter designated by the Secretary of Agriculture as infested, and included in the regulated area.

Regulation 3. Regulated area.

The States, counties, townships, towns, hundreds, and cities listed below, including any cities, towns, boroughs, or other political subdivisions included within their limits, are designated as regulated area for the purpose of these regulations:

NEW JERSEY.—The entire State.

PENNSYLVANIA.—Counties of Philadelphia, Bucks, Berks, Montgomery, Northampton, Lehigh, Chester, Delaware, Lancaster, and Lebanon; and the townships of Conewago, Londonderry, Derry, South Hanover, West Hanover, East Hanover, Swatara, Lower Swatara, Lower Paxton, and Susquehanna, and the City of Harrisburg, in *Dauphin County.*

DELAWARE.—City of Wilmington, and the hundreds of Brandywine, New Castle, Christiana, and Red Lion, in *New Castle County.*

NEW YORK.—County of Nassau; New York City (including the boroughs of Manhattan, Bronx, Richmond, Brooklyn, and Queens); and the townships of New Rochelle, Pelham, Mount Vernon, East Chester, Yonkers, Mamaroneck, Scarsdale, White Plains, Harrison, Rye, Greenburg, Mount Pleasant, Ossining, North Castle, New Castle, Bedford, Poundridge, and Lewisboro, and those portions of Cortlandt and Yorktown townships south of the Croton River, in *Westchester County.*

CONNECTICUT.—Towns of Greenwich and Stamford, in *Fairfield County.*

Regulation 4. Extension or reduction of regulated area.

The area designated in regulation 3 may be extended or reduced as found necessary by the Secretary of Agriculture. Due notice of any extension or reduction and the areas affected thereby will be given in writing to the transportation companies doing business in or through the States in which these areas are located and by publication in newspapers selected by the Secretary of Agriculture within the States in which the areas affected are located.

Regulation 5. Control of movement of farm products and cut flowers.

No restrictions are placed by these regulations on the interstate movement of farm products and cut flowers between October 16 and June 14, inclusive.

(*a*) *Farm products and cut flowers for which certification is not required between June 15 and October 15, inclusive.*

(1) No restrictions are placed by these regulations on the movement of Irish potatoes and sweet potatoes when free from soil, watermelons, dried fruits, dried vegetables, seeds, grains, and, when used for packing articles other than fruits and vegetables, hay and straw.

(2) Farm products (except green sweet or sugar corn and beans in the pod) and cut flowers may be shipped interstate from the markets of New York City without certification when the routing is such that the shipment will not pass through the regulated area of New Jersey.

(*b*) *Farm products and cut flowers for which certification is required between June 15 and October 15, inclusive.*

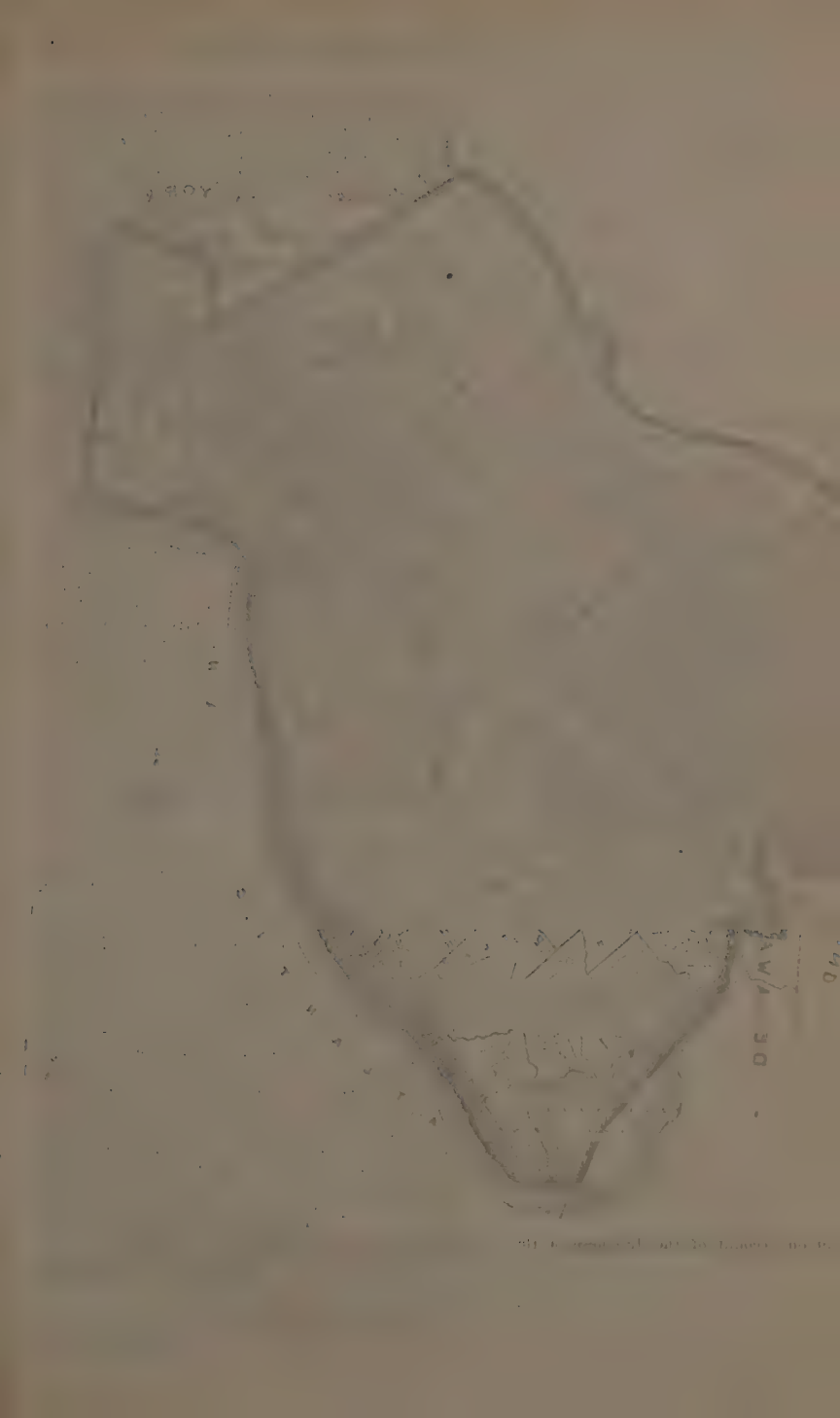
Between June 15 and October 15, inclusive, farm products and cut flowers shall not be moved interstate to points outside the regulated area, except as provided in this and following regulations.

(1) Farm products and cut flowers which have been handled or treated in manner and by method to free them from any infestation satisfactory to the inspector may be certified for interstate movement to points outside the regulated area. The number of inspection points for such certification will be limited and their location determined by shipping needs and further conditioned on the establishment at such points of provisions satisfactory to the inspector for the handling and safeguarding of such shipments during inspection.

(2) Farm products and cut flowers originating outside of and concentrated within the regulated area may be certified by the inspector for reshipment interstate to points outside the regulated area when such shipment is made directly from the freight yards or unloading docks, subject to compliance by the shipper with provisions satisfactory to the inspector for the handling and safeguarding of such shipments pending certification and reshipment.

(3) Farm products and cut flowers shipped to points outside of the regulated area from the markets of New York City via New Jersey must be certified. (See paragraph (*a*) (2) of this regulation.)

(4) Farm products and cut flowers when grown in districts where the fact has been established to the satisfaction of the inspector that no infestation



Map showing area under regulation on account of the Japanese beetle. This area is inclosed by the heavy black line

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exists may be certified by such inspector for direct interstate shipment from the farms where grown to points outside the regulated area.

(5) Certification of farm products and cut flowers for interstate movement from freight yards, docks, or markets in the regulated area to points outside such area may be withheld by the inspector during periods of general or unusual flight, resulting in large numbers of beetles in such freight yards, docks, or markets.

Regulation 6. Control of movement of nursery and ornamental stock.

(*a*) No restrictions are placed on the interstate movement of smooth bulbs of tulip, hyacinth, gladiolus, and narcissus[9] from the regulated area to points outside thereof.

(*b*) No restrictions are placed on the interstate movement of nursery and ornamental stock originating within the regulated area to points within such area, except as a condition of maintaining class rating of nurseries and greenhouses. (See paragraph (*d*).)

(*c*) No restrictions are placed on the interstate movement of nursery and ornamental stock imported under permit in accordance with the provisions of the "Rules and Regulations Supplemental to Notice of Quarantine No. 37 Governing the Importation of Nursery Stock and other Plants and Seeds into the United States," which may be entered at a port within the regulated area, when reshipped directly from the docks or freight yards of such port in the original container and marked as to each container as required in the aforesaid rules and regulations as a condition of interstate shipment; namely, to show the general nature and quantity of the contents, the name and address of the consignee, and the country and locality where grown.

(*d*) Nursery and ornamental stock other than cut flowers (see regulation 5) shall not be moved interstate from the regulated area to points outside of such area until certified by the inspector for such movement. For the purpose of such certification, nurseries and greenhouses within the regulated area will be classified as indicated below:

Class I: Nurseries and greenhouses in districts included in the regulated area but in which districts neither grubs in the soil nor beetles have been found.

Class II: Nurseries and greenhouses in districts recently or scantily infested by the beetle but in which nurseries or greenhouses no beetles have been found and in which it has not been possible to determine any soil invasion.

Class III: Nurseries and greenhouses in which either grubs in the soil or beetles occur or located in districts known to be generally infested.

(*e*) *Conditions necessary for the maintenance of the classification of nurseries and greenhouses.*

Nurserymen, florists, dealers, and others, in order to maintain the classified status of their nurseries and greenhouses, shall meet the following requirements governing sales and purchases:

(1) Report immediately in writing to the inspector all their sales or shipments of nursery and ornamental stock to points *outside* the regulated area, and similarly report all sales or shipments of such stock destined to other classified nurseries or greenhouses *within* the regulated area.

(2) Report immediately in writing all purchases of nursery and ornamental stock and of sand, soil, earth, peat, compost, or manure from nurserymen, florists, dealers, or others *within* the regulated area.

(3) Nurserymen, florists, dealers, or others shall restrict their purchases of nursery and ornamental stock within the regulated area to stock which is certified as to each purchase by the inspector as free from infestation, and the said certificate shall accompany the article when moved.

Forms for reporting sales and purchases will be supplied by the inspector and will provide for the following information: Name and address of the consignee; name and address of the consignor; date of shipment; kinds of plants and number of each kind; class and quantity of other restricted articles. The forms, when filled out, shall be sent immediately to the nearest local office of the Japanese beetle project, United States Department of Agriculture. For list of such offices see page 10.

(*f*) *Control of movement from nurseries and greenhouses in Class I.*

Upon compliance with the requirements of section (*e*) of this regulation nursery and ornamental stock may be certified by the inspector for interstate

[9] The interstate movement of narcissus bulbs is subject to the restrictions contained in the Rules and Regulations Supplemental to Notice of Quarantine No. 62, "Narcissus Bulb Quarantine."

shipment from nurseries and greenhouses in Class I to points outside the regulated area without meeting the safeguards prescribed as a condition of interstate shipment of plants originating in nurseries or greenhouses of Classes II and III.

(*g*) *Control of movement from nurseries and greenhouses in Class II.*

Upon compliance with the requirements of sections (*e*) and (*f*) of this regulation nursery and ornamental stock may be certified by the inspector for shipment from nurseries and greenhouses of Class II to points outside the regulated area under the following safeguards:

(1) Outdoor-grown nursery and ornamental stock shall be examined by the inspector at the time of digging, as follows: Immediately before digging, surface soil to the depth of 4 inches shall be removed from about each plant and examined; the plants shall then be lifted and a careful examination made of the exterior of the soil ball and of the sides of the hole from which the plant is removed.

(2) Azaleas, rhodendrons, and other plants which are of such a nature that the removal of the soil may be harmful to the plants may, after October 10, be subjected to the following procedure in lieu of the requirements in paragraph (1): Intensive examiuation by the inspector of the soil in the block concerned; entire removal of the soil from at least 5 per cent of the plants by the shipper or owner, and a careful examination by the inspector of the soil removed.

(*h*) *Control of movement from nurseries and greenhouses in Class III.*

No interstate movement of nursery and ornamental stock from nurseries and greenhouses of Class III to points outside the regulated area shall be allowed except upon compliance with the following restrictions:

(1) *Plants with soil:* Plants or classes of plants which shall be determined by the inspector as possible of effective treatment with carbon disulphid emulsion or other means may be certified by the inspector for interstate shipment when such treatment is performed under the direction and supervision of, and in manner and method satisfactory to, such inspector.

(2) *Plants without soil:* Nursery and ornamental stock from which the soil has been entirely removed by washing or shaking may be certified by the inspector for interstate shipment: *Provided*, That plants having roots of such a nature that the inspection thereof is impracticable shall not be certified until such plants have been treated in accordance with the requirements of the previous paragraph (1).

(3) *Removal of soil from plants:* The removal of soil from plants offered for inspection and shipment must be performed by the persons, firms, or corporations, or others offering such stock for shipment or sale, under the direction and supervision of, and in manner and method satisfactory to, the inspector.

(*i*) *Conditions governing the certification of stock from greenhouses, including hotbeds, potting beds, heeling-in areas, coldframes, etc.*

The issuance of permits for interstate movement of stock from certified greenhouses, including potting beds, heeling-in areas, hotbeds, coldframes, or similar plots, will be conditioned on compliance with the following requirements:

(1) Ventilators, doors, and all other openings in greenhouses or coldframes on premises in Class II or Class III shall be kept screened during the period of flight of the beetle, namely, between June 15 and October 15, inclusive, in manner satisfactory to the inspector.

(2) Prior to introduction into nurseries or greenhouses, sand, soil, earth, peat, compost, or manure taken from areas in which Class II or Class III nurseries or greenhouses are located, or which may have been exposed to infestation, must be sterilized or fumigated under the direction and supervision of, and in manner and method satisfactory to, the inspector. If such treated sand, soil, earth, peat, compost, or manure is not to be immediately used in such greenhouses it must be stored in a tightly closed building or container.

(3) Plants potted in *certified soil* (see regulation 7) in nurseries or greenhouses of Class II or Class III and placed in outdoor screened frames during the period June 15 to October 15, inclusive, may be certified by the inspector for interstate shipment to points outside the regulated area under the following conditions: A careful inspection shall be made of the soil from not less than 10 per cent of the pots. The soil in and including an area not less than 3 feet wide surrounding the frames shall be treated not later than the preceding October 1 with arsenate of lead powder, applied uniformly at the rate of 1,500 pounds to the acre. The soil examination and treatment shall be made under the direction and supervision of, and in manner and method satisfactory to, the inspector.

(4) Plants potted in *certified soil* (see regulation 7) in nurseries or greenhouses of Class II or Class III and placed in beds in the open during the period October 16 to June 14 may be certified by the inspector for interstate shipment to points outside the regulated area upon compliance with the following conditions performed under the direction and supervision of, and in manner and method satisfactory to, such inspector: A fine-mesh screen must be placed in the bottom of each pot; the soil in beds on which the pots are placed must have been treated not less than three months previous to the time the pots are placed in the beds with arsenate of lead powder applied uniformly at the rate of 1,500 pounds to the acre, under the direction and supervision of, and in manner and method satisfactory to, the inspector; no pots shall be placed within 3 feet of soil which has not been treated; before pots are placed on treated beds careful soil examination shall be made of the beds and their freedom from infestation determined by the inspector.

(5) Nurserymen, florists, dealers, or others ordering for use in certified greenhouses, nursery and ornamental stock, or sand, soil, earth, peat, compost, or manure from other growers, dealers, or individuals within the regulated area, shall immediately report their orders to the inspector and obtain approval before such articles are received on their premises or placed in certified greenhouses.

(6) Nurserymen, florists, dealers, or others shall not move, or allow to be moved, plants from the open on their own premises into certified greenhouses until the approval for such movement has been obtained from the inspector.

Regulation 7. Control of movement of sand, soil, earth, peat, compost, and manure.

(*a*) The interstate movement of *fresh manure* to points outside the regulated area will be allowed without other requirement than inspection and certification by the inspector.

(*b*) Certification for interstate movement of *sand, soil, earth, peat, compost, or manure* (*except fresh manure*) from the regulated area to points outside such area will not be allowed except upon compliance with the conditions hereinafter enumerated.

(1) The interstate movement of the articles enumerated from districts included in the regulated area, but in which neither beetles nor grubs in soil have been found, to points outside the regulated area will be allowed without other requirement than certification by the inspector. This requirement shall apply throughout the year.

(2) The interstate movement of the articles enumerated from districts included in the regulated area which are known to be generally infested to points outside the regulated area shall not be allowed except upon compliance with the following conditions:

(*aa*) Surface material of the articles enumerated, when removed from above a depth of 12 inches, shall be fumigated with carbon disulphid under the direction and supervision of, and in manner and method satisfactory to, the inspector before such shipments may be certified by the said inspector for such movement.

(*bb*) The articles enumerated, when removed under the supervision of the inspector from a depth of more than 12 inches below the exposed surface of the ground, may be so certified by the inspector without treatment for interstate movement between October 16 and June 14, inclusive.

(*cc*) The articles enumerated, when removed, under the supervision of the inspector, from a depth of more than 12 inches below the exposed surface of the ground, may be certified by the inspector between June 15 and October 15, inclusive, as follows: (1) When the inspector shall determine that a general infestation of adult Japanese beetles exists at the loading and shipping points certification shall be withheld until either the article which it is proposed to ship shall have been fumigated with carbon disulphid or until the cars and loading operations are protected by screening under the direction of, and in manner and method satisfactory to, the said inspector; (2) when the inspector shall determine that no such infestation of adult Japanese beetles exists in the vicinity of the loading and shipping points the articles may be certified for interstate movement without the requirement of fumigation or screening.

Regulation 8. Conditions governing the protection of restricted articles from Japanese beetles while in transit.

Farm products, nursery and ornamental stock, and sand, soil, earth, peat, compost, and manure, moving interstate between June 15 and October 15, inclusive, shall be screened, covered, or otherwise protected in manner or method

determined by the inspector as necessary to prevent infestation by adult Japanese beetles of the articles listed. This requirement shall apply to each automobile, truck, wagon, car, and boat hauling such articles from the regulated area to points outside thereof.

Regulation 9. Marking and certification a condition of interstate transportation.

Every car, vehicle, box, basket or other container of the articles listed, the interstate movement of which is restricted in regulations 5, 6, and 7, shall be plainly marked with the name and address of the consignor and the name and address of the consignee and shall bear a certificate stating that the contents have been examined by the inspector and found to be apparently free from the Japanese beetle.

The inspection certificate in the case of carload and other bulk shipments shall accompany the way bill, conductor's manifest, memorandum, or bill of lading pertaining to such shipment, or in the case of truck or other road vehicle the certificate shall accompany the vehicle.

Misuse or transfer of certificates or use of void certificates is prohibited and may result in the refusal of further certification to the grower or shipper concerned.

Regulation 10. Conditions governing inspection and issuance of certificates.

Persons intending to move or allow to be moved interstate any of the articles the movement of which is restricted in regulations 5, 6, and 7 shall make application for inspection and certification as far as possible in advance of the probable date of shipment, specifying in the application the article and quantity to be shipped, method of shipment, name and address of the consignor, and name and address of the consignee.

Applicants for inspection will be required to assemble the articles at such points as the inspector shall designate and to so place them that inspection may readily be made; if not so placed, inspection may be refused. All charges for storage, cartage, and labor incident to inspection, other than the services of the inspector, shall be paid by the shipper.

Where the apparent absolute freedom from infestation of any of the articles enumerated can not be determined by the inspector certification will be refused.

Regulation 11. Inspection of restricted articles in transit.

Any car, vehicle, basket, box, or other container of articles moved or offered for movement interstate which contains or may contain articles the movement of which is prohibited or restricted by quarantine No. 48 and these regulations shall be subject to inspection by duly authorized inspectors at place of shipment or destination or at any point en route.

Regulation 12. Thorough cleaning required of trucks, wagons, cars, boats, and other vehicles before moving interstate.

Trucks, wagons, cars, boats, and other vehicles which have been used in transporting any article covered by quarantine No. 48 within the regulated area shall not thereafter be moved or allowed to be moved interstate until they have been thoroughly swept and cleaned by the carrier at the point of unloading or destination.

Regulation 13. Shipments by the United States Department of Agriculture.

Plants and plant products and other articles, the interstate movement of which is restricted by these rules and regulations, may be moved by the United States Department of Agriculture when intended for experimental or scientific purposes, on such conditions and under such safeguards as may be prescribed by the Federal Horticultural Board.

These rules and regulations, effective April 1, 1927, supersede the rules and regulations promulgated October 11, 1926, as amended, and shall be in force until further notice.

Done at the city of Washington this 21st day of March, 1927.

Witness my hand and the seal of the United States Department of Agriculture.

W. M. JARDINE,
Secretary of Agriculture.

PENALTIES

The plant quarantine act of August 20, 1912 (37 Stat., 315), provides that any person who shall violate any of the provisions of this act, or who shall forge, counterfeit, alter, deface, or destroy any certificate provided for in this act or

in the regulations of the Secretary of Agriculture, shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine not exceeding $500 or by imprisonment not exceeding one year, or both such fine and imprisonment, in the discretion of the court.

STATE QUARANTINES

The States of New Jersey, Pennsylvania, Delaware, New York, and Connecticut have promulgated quarantines restricting intrastate movement supplemental to the Federal quarantine. These State quarantines are enforced in cooperation with the Federal authorities. Copies of either the Federal or State quarantine orders may be obtained by addressing: Japanese Beetle Laboratory, Riverton, N. J. Bell telephone—Riverton 505 and 526.

Subsidiary offices are maintained in Wilmington, Del.; Norristown, Lancaster, and Philadelphia, Pa.; Glassboro, Hightstown, and Passaic, N. J.; and Mount Vernon, N. Y.

GENERAL OFFICES OF STATES COOPERATING

Bureau of Statistics and Inspection, Department of Agriculture, Trenton, N. J.
Bureau of Plant Industry, Department of Agriculture, Harrisburg, Pa.
Department of Agriculture, Dover, Del.
Bureau of Plant Industry, Department of Farms and Markets, Albany, N. Y.
Department of Entomology, Agricultural Experiment Station, New Haven, Conn.

NOTICE TO TRANSPORTATION COMPANIES

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D. C., March 30, 1927.

SIR: You are requested to date and sign the blank receipt below, indicating your official title, and mail this sheet to the Secretary of Agriculture in the inclosed penalty envelope, which requires no postage.

Notice is hereby given to the transportation company you represent, as follows:

That the Secretary of Agriculture, under authority of the act approved August 20, 1912, known as "the plant quarantine act" (37 Stat. 315), as amended by the act of Congress approved March 4, 1917 (39 Stat. 1134, 1165), has, by notice of quarantine No. 48, with revised rules and regulations effective on and after April 1, 1927, ordered that (1) farm, garden, and orchard products of all kinds; (2) grain and forage crops of all kinds; (3) nursery, ornamental, and greenhouse stock, and all other plants; and (4) sand, soil, earth, peat, compost, and manure shall not be moved or allowed to be moved interstate from New Jersey, Pennsylvania, Delaware, New York, and Connecticut in manner or method or under conditions other than those prescribed in the rules and regulations supplemental to notice of quarantine No. 48, and amendments which may hereafter be made thereto. A copy of quarantine No. 48, with revised rules and regulations effective on and after April 1, 1927, is inclosed herewith. The changes are indicated in the introductory note.

Very respectfully,

W. M. JARDINE,
Secretary of Agriculture.

(Inclosures.)

(Do not detach this receipt.)

Received this notice and the copy of quarantine No. 48, with revised rules and regulations mentioned therein, this _____ day of _____, 1927.

_____
(Signature.)

_____
(Title.)

[This notice was sent to 184 common carriers doing business in or through the quarantined area.]

NOTICE TO GENERAL PUBLIC THROUGH NEWSPAPERS

United States Department of Agriculture, Office of the Secretary, Washington, D. C., March 30, 1927. Notice is hereby given that the Secretary of Agriculture, under authority conferred on him by the plant quarantine act of August 20, 1912 (37 U. S. Statutes 315), as amended, has promulgated a revision of the regulations supplemental to notice of quarantine No. 48, effective April 1, 1927, to prevent the further spread of the Japanese beetle. The effect of said quarantine and revised regulations is to prohibit the interstate movement of (1) farm, garden, and orchard products of all kinds; (2) grain and forage crops of all kinds; (3) nursery, ornamental, and greenhouse stock, and all other plants; and (4) sand, soil, earth, peat, compost, and manure from designated areas in the States of New Jersey, Pennsylvania, Delaware, New York, and Connecticut, except in accordance with said revised regulations. Copies of said notice of quarantine No. 48 and the accompanying revised regulations may be obtained from the Federal Horticultural Board, Department of Agriculture, Washington, D. C. W. M. JARDINE, *Secretary.*

[Published in the following newspapers: The Hartford Times, Hartford, Conn., April 4, 1927; The World, New York, N. Y., April 2, 1927; The Evening Journal, Wilmington, Del., April 2, 1927; The Philadelphia Inquirer, Philadelphia, Pa., April 2, 1927; and the Trenton Times, Trenton, N. J., April 2, 1927.]

BLISTER-RUST QUARANTINE (NO. 63)

WHITE-PINE BLISTER-RUST QUARANTINE REVISED TO BECOME EFFECTIVE MARCH 15

[Press Notice]

FEBRUARY 21, 1927.

A revision of the regulations under the white-pine blister-rust quarantine has recently been signed by the Acting Secretary of Agriculture to become effective March 15, 1927. This revision involves no radical divergences from the previous regulations, the changes being for the most part corrections of minor errors and restatements to make more clear the requirements governing interstate movement of the articles concerned.

As under the original regulations, interstate movement of five-leafed pines is prohibited: (1) From all States east of and including Minnesota, Iowa, Missouri, Arkansas, and Louisiana to points west of these States; (2) from the New England States into any State except the six States comprising this group; (3) from New York into any other State; (4) from Minnesota and Wisconsin into any State except the two States comprising this group and the New England States and New York; (5) from Michigan, New Jersey, and Pennsylvania into any State except the three States comprising this group and the New England States, New York, Minnesota and Wisconsin; (6) from Washington into any other State; (7) from seven designated counties in northwestern Oregon into any other State.

Interstate movement of European black-currant plants, commonly known as cultivated black currants, is also prohibited except within the area comprised in the States of Alabama, Arkansas, Florida, Kansas, Louisiana, Mississippi, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, and Texas. Shipments of these plants must be accompanied by a State certificate of inspection stating that inspection was made between August 15 and September 30 preceding shipment, and the plants found free from the blister rust.

All currants and gooseberry plants are prohibited movement from any infected State or county to any other State, except cultivated red and white currants, mountain (or alpine) currant and cultivated gooseberry plants. Shipments of these excepted plants must be inspected and certified by a Federal inspector and bear a Federal permit tag of specified form.

The infected States and counties in which white pine blister rust is now known to be present are Connecticut, Maine, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Washington, Wisconsin, and seven counties—Clatsop, Columbia, Lincoln, Polk, Tillamook, Washington, and Yamhill in Oregon.

QUARANTINE ON ACCOUNT OF THE WHITE-PINE BLISTER RUST

NOTICE OF QUARANTINE NO. 63, WITH REGULATIONS

[Effective on and after October 1, 1926. Supersedes Quarantine No. 26 as amended, and Quarantine No. 54 as extended]

I, C. F. Marvin, Acting Secretary of Agriculture, have determined that it is necessary to quarantine every State of the continental United States and the District of Columbia, in order to prevent the spread of the white-pine blister rust (*Cronartium ribicola* Fischer), a dangerous plant disease not heretofore widely prevalent or distributed within and throughout the United States.

Now, therefore, under authority conferred by the plant quarantine act of August 20, 1912 (37 Stat., 315), as amended by the act of Congress approved March 4, 1917 (39 Stat., 1134, 1165), and having duly given the public hearing required thereby, I do quarantine every State in the continental United States and the District of Columbia, effective on and after October 1, 1926. Hereafter, under the authority of said act of August 20, 1912, amended as aforesaid, no five-leafed pines (*Pinus*) or currant and gooseberry plants (*Ribes* and *Grossularia*, including cultivated or wild or ornamental sorts) shall be moved or allowed to be moved from any such State or from the District of Columbia into or through any other State in the continental United States or the District of Columbia, except in manner or method or under conditions prescribed in the rules and regulations supplemental hereto and in amendments thereof: *Provided*, That the restrictions of this quarantine and the rules and regulations supplemental hereto may be limited to the areas in a quarantined State now or hereinafter designated by the Secretary of Agriculture as infected when said State shall have provided for and enforced such control measures with respect to such designated areas as, in the judgment of the Secretary of Agriculture, shall be deemed adequate to effect the control and prevent the spread of the white-pine blister rust: *Provided further*, That, for the enforcement of the restrictions under this quarantine on the interstate movement of five-leafed pines and currant and gooseberry plants, all interstate shipments of nursery stock or other plants shall be subject to inspection at place of shipment or destination or at any point en route, by duly authorized inspectors of the United States Department of Agriculture.

Done at the city of Washington this 27th day of August, 1926.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL.]

C. F. MARVIN,
Acting Secretary of Agriculture.

REVISED RULES AND REGULATIONS SUPPLEMENTAL TO NOTICE OF QUARANTINE NO. 63

[Effective on and after March 15, 1927]

Regulation 1. Definitions.

For the purpose of these regulations the following words, names, and terms shall be construed, respectively, to mean:

(*a*) White-pine blister rust, or blister rust: The fungous disease caused by *Cronartium ribicola* Fischer.

(*b*) Five-leafed pines: Plants, branches, limbs, and twigs of the following species belonging to the genus *Pinus*:

American species:

- Ayacahuite pine (*P. ayacahuite* Ehrenb.).
- Bristle-cone pine (*P. aristata* Engelm.).
- Foxtail pine (*P. balfouriana* Murr.).
- Limber pine (*P. flexilis* James).
- Mexican white pine (*P. strobiformis* Engelm.).
- Sugar pine (*P. lambertiana* Dougl.).
- Western white or silver pine (*P. monticola* D. Don).
- White-bark pine (*P. albicaulis* Engelm.).
- White pine (eastern) (*P. strobus* L.).

(*b*) Five-leafed pines—Continued.
Foreign species:
Balkan pine (*P. peuce* Griseb.).
Chinese white pine (*P. armandi* Franch.).
Himalayan or Bhotan pine (*P. excelsa* Wall.).
Japanese white pine (*P. parviflora* Sieb. & Zucc.).
Korean pine (*P. koraiensis* Sieb. & Zucc.).
Swiss stone pine (*P. cembra* L.).

(*c*) Currant and gooseberry plants: Plants, cuttings, or cions belonging to the genera *Ribes* L. and *Grossularia* (Tourn.) Mill., including cultivated or wild or ornamental sorts.

(*d*) European black currant plants: Plants, cuttings, or cions of *Ribes nigrum* L.

(*e*) Mountain currant: Plants, cuttings, or cions of *Ribes alpinum* L., also known as alpine currant.

(*f*) Cultivated red and white currant plants: Plants, cuttings, or cions of garden varieties derived from *Ribes vulgare* Lamarck, *R. rubrum* L., *R. petraeum* Wulf, and *R. sativum* Syme, and their hybrids.

(*g*) Cultivated gooseberry plants: Plants, cuttings or cions of garden varieties of gooseberries derived from American or European species and their hybrids.

(*h*) Nursery stock and other plants and seeds: Includes nursery stock as defined in the plant quarantine act of August 20, 1912, and other plants and plant products for propagation.

(*i*) Inspector: An inspector of the United States Department of Agriculture.

(*j*) Dormant: In a nonvegetative state, with inactive buds.

(*k*) Defoliated: Without leaves.

(*l*) Infected States: States designated by the Secretary of Agriculture as infected with white-pine blister rust, as follows: Connecticut, Maine, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Vermont, Washington, and Wisconsin.

(*m*) Legally established blister-rust control area: An area established under State authority wherein both the planting and possession of either currant and gooseberry plants or of five-leafed pines are prohibited for the purpose of protecting the five-leafed pines or the currant and gooseberry plants on such area from damage by white-pine blister rust.

(*n*) The expression *interstate movement*, as used in these regulations, means movement from any quarantined State or District into or through any other State or district.

Regulation 2. Restrictions on movement of five-leafed pines.

(*a*) *Restrictions applying to interstate movement from any State:* Five-leafed pines shall not be moved or allowed to be moved out of any State except in compliance with requirements stated in regulation 5 (*a*) and (*e*).

Additional restrictions applying to interstate movement from certain States:

(*b*) Five-leafed pines shall not be moved or allowed to be moved from the District of Columbia or from any of the following States:

Alabama,	Iowa,	Mississippi,	Rhode Island,
Arkansas,	Kentucky,	Missouri,	South Carolina,
Connecticut,	Louisiana,	New Hampshire,	Tennessee.
Delaware,	Maine,	New Jersey,	Vermont,
Florida,	Maryland,	New York,	Virginia,
Georgia,	Massachusetts,	North Carolina,	West Virginia.
Illinois,	Michigan,	Ohio,	Wisconsin,
Indiana,	Minnesota,	Pennsylvania,	

into any State lying west of the line formed by the western boundary of the States of Minnesota, Iowa, Missouri, Arkansas, and Louisiana.

(*c*) Five-leafed pines shall not be moved or allowed to be moved from the following areas into any State lying outside of such areas:

(1) The area comprised in the States of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.

(2) The area comprised in the State of New York.

(3) The area comprised in the States of Minnesota and Wisconsin, except that such movement is permitted therefrom into the States comprised in areas (1) and (2) above.

(4) The area comprised in the States of Michigan, New Jersey, and Pennsylvania, except that such movement is permitted therefrom into the States comprised in areas (1), (2), and (3) above.

(5) The area comprised in the State of Washington.

(6) The area comprised in the State of Oregon, except that this limitation of movement is confined to the counties of Clatsop, Columbia, Lincoln, Polk, Tillamook, Washington, and Yamhill in said State, in view of the fact that the State of Oregon maintains and enforces a quarantine against the intrastate movement of blister-rust host plants out of the above-named counties and otherwise provides and enforces such control measures as, in the judgment of the Secretary of Agriculture, are deemed adequate to effect the control and prevent the spread of white-pine blister rust in the State of Oregon.

Regulation 3. Restrictions on movement of European black currant plants.

European black currant plants shall not be moved or allowed to be moved interstate except within the area comprised in the States of—

Alabama,	Kansas,	Missouri,	Oklahoma,
Arkansas,	Louisiana,	Nebraska,	South Dakota,
Florida,	Mississippi,	North Dakota,	Texas.

The interstate movement of said plants within this area will be allowed only during the period from October 1 of the year of inspection specified in regulation 5 (*b*) to May 15, inclusive, of the following year, and such movement during the said period will be allowed only upon compliance with the requirements stated in regulation 5 (*b*) and (*e*).

Regulation 4. Restrictions on movement of currant and gooseberry plants other than European black currants.

Restrictions applying to interstate movement from any State: Currant and gooseberry plants other than European black currants shall not be moved or allowed to be moved out of any State except in compliance with the requirements stated in regulation 5 (*c*) and (*e*).

Additional restrictions applying to interstate movement from infected States: Except as hereinafter provided, currant and gooseberry plants other than European black currants shall not be moved or allowed to be moved interstate to points outside of any one of the infected States, as follows:

Connecticut,	Minnesota,	Oregon,	Washington,
Maine,	New Hampshire,	Pennsylvania,	Wisconsin.
Massachusetts,	New Jersey,	Rhode Island,	
Michigan,	New York,	Vermont,	

Provided, That, with respect to interstate movement from the State of Oregon, this regulation is limited to the counties of Clatsop, Columbia, Lincoln, Polk, Tillamook, Washington, and Yamhill, in view of the fact that the State of Oregon maintains and enforces a quarantine against the intrastate movement of blister-rust host plants out of the above-named counties, and otherwise provides and enforces such control measures as, in the judgment of the Secretary of Agriculture, are deemed adequate to effect the control and prevent the spread of white-pine blister rust in the State of Oregon:

Provided further, That cultivated red and white currant, mountain currant, and cultivated gooseberry plants may be moved interstate from any one of the infected States or counties designated in this regulation during the period specified in paragraph (*e*) upon compliance with the requirements specified in paragraphs (*a*), (*b*), (*c*), and (*d*), or in paragraph (*f*), of this regulation and upon compliance with the requirements specified in regulation 5 (*c*), (*d*), and (*e*).

(*a*) That the said plants and the premises on which said plants were grown have been inspected during the period from August 15 to September 30, inclusive, preceding the shipment (except that in the States of Oregon and Washington inspection shall be made in September or October preceding the shipment) by an inspector, and that said plants and premises are certified to the Federal Horticultural Board to be free from white-pine blister rust.

(*b*) That there exist no European black currants within a radius of 1 mile of the plot where said plants were grown, and that the vicinity within 1 mile radius of said plot was carefully scouted for white-pine blister rust by an inspector during the period from August 15 to September 30, inclusive, preceding the shipment (except that in the States of Washington and Oregon inspection

shall be made in September or October preceding the shipment) and certification made to the Federal Horticultural Board that no blister-rust infection was found.

(*c*) That the said plants when shipped are in a dormant and defoliated condition, and so certified by the consignor.

(*d*) That the whole of said plants except the roots have been immersed before shipment in a solution consisting of 1 part concentrated lime-sulphur testing not less than 32° Baumé to 8 parts of water, the dilute solution to test not less than 4.5° Baumé, and so certified by the consignor.

(*e*) That the said plants shall be moved interstate from the said infected States or counties only during the period from October 1 of the year of inspection to May 15, inclusive, of the year following, except that in Oregon and Washington the said plants shall be moved only during the period from November 1 of the year of inspection to April 15, inclusive, of the year following.

(*f*) Cultivated red and white currant, mountain currant, and cultivated gooseberry plants which have been grown in a State or county not designated in this regulation as infected, and shipped into a State or county designated as infected may be reshipped interstate from such infected State or county in compliance with paragraphs (*c*), (*d*), and (*e*) of this regulation, and with regulation 5 (*c*), (*d*), and (*e*), only when such plants, upon receipt thereof by the person desiring to make such reshipment, have been retained in the original package until examined by an inspector and found by said inspector to meet the requirements of regulation 5 (*c*).

Regulation 5. Marking, certificate, and permit requirements as a condition of interstate transportation.

(*a*) *Five-leafed pines moved from any State:* Each car, box, bale, or other container of five-leafed pines moved interstate from any State shall be plainly marked to show the name and address of the consignor, the name and address of the consignee, and the contents as five-leafed pines, and each such shipment shall bear on the outside of the container a certificate, duly executed by the State nursery inspector or other responsible plant quarantine official of the State in which the said plants were grown, certifying that the plants in question and the premises on which said plants were grown were officially inspected within one year of the time of shipment (giving date of inspection) and found to be free from white-pine blister rust.

Each such shipment moved interstate into any State having a legally established blister-rust control area shall also bear on the outside of the container a control-area permit (Form 415) issued by the Federal inspector designated to act in the State into which the shipment is to be made. (See Appendix A.) Such permit shall not be issued for the movement of five-leafed pines into a legally established blister-rust control area set aside for the growing of currants and gooseberries and in which both the planting and possession of five-leafed pines are prohibited by State authority.[10]

(*b*) *European black currants:* Each car, box, bale, or other container of European black currant plants which may be moved interstate only within the area designated in regulation 3 shall be plainly marked to show the name and address of the consignor, the name and address of the consignee, and the contents as European black currants, and each such shipment shall bear on the outside of the container a certificate, duly executed by the State nursery inspector or other responsible plant quarantine official of the State in which the said plants were grown, certifying that the plants in question and the premises on which said plants were grown were officially inspected during the period from August 15 to September 30, inclusive, preceding the shipment (giving date of inspection) and found to be free from white-pine blister rust.

(*c*) *All kinds of currant and gooseberry plants (other than European black currants) moved from any State:* Each car, box, bale, or other container of currant and gooseberry plants, other than European black currants, moved interstate from any State shall be plainly marked to show the name and address of the consignor, the name and address of the consignee, and the contents, as currant or gooseberry plants; and each such shipment shall bear

[10] This provision is made in order to prevent the movement of the alternate host plants of white-pine blister rust into blister-rust control areas established by State authority as currant and gooseberry growing areas, and before making any desired shipment of five-leafed pines the shipper should make application to the proper official designated in Appendix A for the required control-area permit, stating specifically the destination of the proposed shipment.

on the outside of the container a certificate, duly executed by the State nursery inspector or other responsible plant quarantine official of the State in which said plants were grown, certifying that the plants in question and the premises on which said plants were grown were officially inspected within one year of the time of shipment (giving date of inspection) and found to be free from white-pine blister rust.

Each such shipment moved interstate into any State having a legally established blister-rust control area shall also bear on the outside of the container a control-area permit (Form 415) issued by the Federal inspector designated to act in the State into which the shipment is to be made. (See Appendix A.) Such permits shall not be issued (1) for the movement of currant or gooseberry plants into a legally established blister-rust control area set aside for the growing of five-leafed pines and in which both the planting and possession of currant and gooseberry plants are prohibited by State authority;[11] nor (2) for the shipment of any species or variety of currant or gooseberry plants into any State which prohibits the planting of such species or variety within all parts of said State.[12]

(*d*) *Cultivated red and white currant, mountain currant, and cultivated gooseberry plants moved from infected States:* Each car, box, bale, or other container of cultivated red and white currant, mountain currant, and cultivated gooseberry plants moved interstate from the infected States and counties designated in regulation 4 shall be subject to requirements specified in paragraph (*c*) of this regulation, and in addition shall have attached to the outside of the container a permit tag (Form 405) authorizing movement and bearing the serial number of the permit issued by the Federal Horticultural Board to the consignor of the shipment on an application (Form 404) signed and submitted by said consignor agreeing to observe the conditions governing the use of said permit as specified in the application therefor: *Provided,* That the use of the said permit tag is prohibited except during the period specified in Regulation 4 (*e*), nor shall said tag be used when, after the permit has been issued, the plants to which said permit applies are found not to conform to the requirements of Regulation 4 (*a*) and (*b*), or (*f*).

(*e*) *Carload and bulk shipments:* With respect to paragraphs (*a*), (*b*), (*c*), and (*d*) of this regulation, when the plants specified thereunder are moved in carload or other bulk shipments the permit forms and certificates required thereby shall accompany the waybills, conductors' manifests, memoranda, or bills of lading, or in the case of truck or other road vehicle such permit forms and certificates shall accompany the vehicle.

Regulation 6. Provision for inspection of nursery stock and other plants in transit.

Any car, box, bale, or other container of nursery stock or other plants moved or offered for movement interstate, which contains or may contain plants the movement of which is prohibited or restricted by this quarantine and these regulations, shall be subject to inspection by duly authorized inspectors of the United States Department of Agriculture at place of shipment or destination or at any point en route.

Regulation 7. Penalties for violation of these rules and regulations.

Permits issued under these rules and regulations by the Federal Horticultural Board for the interstate movement of plants permitted thereunder may be canceled and further permits may be refused to any shipper who violates any of these rules and regulations. When any such permit is canceled, the further use of permit forms issued to the permittee thereunder is prohibited.[13]

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[11] This provision is made in order to prevent the movement of these plants into officially declared blister-rust control areas wherein currant and gooseberry plants have been or are being removed under State authority in order to protect the pine in these areas from damage by blister rust, and before making any desired shipment of currant or gooseberry plants the shipper should make application to the proper official designated in Appendix A for the required control-area permit, stating specifically the destination of the proposed shipment.

[12] This provision is made in support of State regulations against planting of certain species of currant and gooseberry plants (such as *Ribes aureum* and *R. odoratum*) which, in accordance with the blister-rust control programs of certain States, have been declared dangerous.

[13] The plant quarantine act of Aug. 20, 1912 (37 Stat. 315), provides that any person who shall violate any of the provisions of that act, or who shall forge, counterfeit, alter, deface, or destroy any certificate provided for in that act or in the regulations of the Secretary of Agriculture thereunder, shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine not exceeding $500 or by imprisonment not exceeding one year, or both such fine and imprisonment, in the discretion of the court.

Regulation 8. Shipment by the United States Department of Agriculture.

Five-leafed pines and currant and gooseberry plants may be moved by the United States Department of Agriculture, when intended for experimental or scientific purposes, on such conditions and under such safeguards as may be prescribed by the Federal Horticultural Board.

These revised rules and regulations shall be effective on and after March 15, 1927, and shall supersede the rules and regulations promulgated August 27, 1926.

Done at the city of Washington this 17th day of February, 1927.

Witness my hand and the seal of the United States Department of Agriculture.

R. W. DUNLAP,
Acting Secretary of Agriculture.

APPENDIX A

STATES WHICH HAVE LEGALLY ESTABLISHED BLISTER-RUST CONTROL AREAS

Before currant or gooseberry plants or five-leafed pines may be shipped into the States listed below, each shipment must bear a control-area permit (Form 415) from the official collaborating with the Department of Agriculture as a Federal inspector, whose title appears below opposite the name of the State into which the shipment is to be made. (See regulation 5 (*a*), (*c*), and (*e*).) Applications for such permits should state the kind of plants to be shipped and the names and addresses of the consignor and consignee.

State	Federal inspector designated to act in the State into which shipment is to be made
Maine	Forest Commissioner, Augusta, Me.
Massachusetts	Director, Division of Plant Pest Control, Statehouse, Boston, Mass.
New Hampshire	State Nursery Inspector, Durham, N. H.
New York	Director, Bureau of Plant Industry, Albany, N. Y.
Rhode Island	State Entomologist, Kingston, R. I.

APPENDIX B

STATES CONSIDERING ACTION TO ESTABLISH BLISTER-RUST CONTROL AREAS

The following States are considering the early establishment of blister-rust control areas, and it is recommended that those desiring to ship currant or gooseberry plants or five-leafed pines into any of these States should apply in advance of shipment to the officials listed below. Restricted plants which otherwise meet the requirements of Federal Quarantine No. 63 may now enter any of these States without a control-area permit, but when these States have legally established blister-rust control areas, failure on the part of the consignor to attach control-area permits (Form 415) will be treated in the same manner as violation of any other part of the regulations.

State	Official to be consulted
Connecticut	State Entomologist, Agricultural Experiment Station, New Haven, Conn.
Idaho	Director, Bureau of Plant Industry, Boise, Idaho.
Michigan	Inspector in Charge, Orchard and Nursery Inspection, Bureau of Agricultural Industry, Lansing, Mich.
Oregon	Secretary, State Board of Horticulture, Portland, Oreg.
Washington	Supervisor of Horticulture, Olympia, Wash.

INTERSTATE MOVEMENT OF RED AND WHITE CURRANTS, ETC.—MODIFIED APPLICATION FORM

[It became necessary to issue a modified application form to cover shipments interstate by nongrowers of cultivated red and white currant, mountain currant, and cultivated gooseberry plants under regulation 4, notice of quarantine No. 63. This revision does not affect the status of the original form of application applying to growers of these plants.]

Form 404–A.—(For nongrowers.)

UNITED STATES DEPARTMENT OF AGRICULTURE

FEDERAL HORTICULTURAL BOARD

Washington, D. C., _____
(Date issued)

Permit No. ------

APPLICATION FOR PERMIT TO MOVE CULTIVATED RED AND WHITE CURRANT, MOUNTAIN CURRANT, AND CULTIVATED GOOSEBERRY PLANTS INTERSTATE UNDER REGULATION 4, NOTICE OF QUARANTINE NO. 63

[To be signed in duplicate and both copies submitted to the Federal Horticultural Board, Washington, D. C.]

_____
(Name of individual, firm, or corporation by whom permit will be used [14])

hereinafter designated as the applicant, whose place of business is located at

_____ _____ _____
(Street address) (City) (State)

desiring to move interstate from any of the States or the counties thereof specified in regulation 4, supplemental to notice of quarantine No. 63 and amendments thereto (such States and counties hereinafter referred to as the infected States and counties), cultivated red and white currant, mountain currant, and cultivated gooseberry plants (hereinafter designated as the restricted plants), which have been grown elsewhere than on the premises of the applicant, hereby makes application to the Federal Horticultural Board for a permit, and in consideration of the issuance of such permit the applicant agrees as follows:

(1) That this application does not pertain to plants grown on the premises of the applicant; that the applicant and his representatives, agents, and employees will not move nor offer for movement interstate from the infected States and counties any kind of currant or gooseberry plants except those whose movement is permitted under the restrictions specified in said regulation 4; and

(*a*) If grown in an infected State or county designated as such in regulation 4, that the plants have been inspected and certified in accordance with paragraphs (*a*) and (*b*) of regulation 4, supplemental to notice of quarantine No. 63, and a Federal permit issued to the owner or grower for their interstate movement; that the applicant named herein shall be held responsible for determining upon his receiving or purchasing the plants that such Federal permit has in fact been issued to the former owner or grower; and that the said plants are, to the best knowledge of the applicant, the actual plants to which the Federal permit applies; or

(*b*) If grown in any State or county not designated in regulation 4 as infected, that the plants will be reshipped interstate under the permit hereby applied for only on compliance with regulation 4(*f*) of quarantine No. 63, as revised, effective March 15, 1927.

(For balance of application form, which has not been changed, see S. R. A. No. 88, pp. 91–93.)

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[14] Name of applicant, if firm or company, should be that used on shipping tag. Concerns operating under more than one name must have a separate permit for each such name.

NARCISSUS-BULB QUARANTINE (DOMESTIC) (NO. 62)

NOTICE TO NARCISSUS-BULB PERMITTEES OF 1926

HB–198

UNITED STATES DEPARTMENT OF AGRICULTURE,
FEDERAL HORTICULTURAL BOARD,
Washington, D. C., February 5, 1927.

The question has been raised whether the permits issued for the importation of narcissus bulbs, crop of 1926, are valid for bulbs of 1927 dug or harvested prior to July 1 of that year.

With respect to this inquiry, narcissus-bulb permittees of 1926 are advised that these permits were issued for the crop of that year. Any failure on the part of the permittee to import during the normal shipping season of that year the full amount of bulbs authorized in the permit gives no holdover privilege as to the crop of the following year, i. e., as to any bulbs dug or harvested the year following, whether prior to July 1 or not. As you have already been advised, any importations of the crop of 1927 can be made only after obtaining new permits for that year. (See circular HB–197, January 15, 1927.)

C. L. MARLATT,
Chairman of Board.

CERTIFICATION OF DOMESTIC NARCISSUS BULBS A CONDITION OF INTERSTATE SHIPMENT

HB–200

UNITED STATES DEPARTMENT OF AGRICULTURE,
FEDERAL HORTICULTURAL BOARD,
Washington, D. C., March 9, 1927.

Appendix A to the rules and regulations supplemental to notice of quarantine No. 62 (narcissus-bulb quarantine) requires, as a condition of certification for interstate shipment of domestic narcissus bulbs, two examinations. The first examination is to take place in the field at the commencement of the flowering period, and the second at the time the bulbs are lifted, or if more convenient, in the storage sheds previous to shipment. The issuance of certificates is also conditioned upon the requirement by the State concerned that all bulbs produced for distribution or sale in the State shall be given the inspection and certification, and if found infested, the treatment required as a condition of interstate movement.

It is distinctly understood that the release of bulbs for interstate movement under quarantine No. 62 has reference to domestic narcissus bulbs only, and not to stock imported since January 1, 1926. The conditions of release of such imported stock are indicated in paragraph 5, HB–193, issued March 10, 1926, and are as follows:

"Bulbs imported for propagation will be released from these conditions of entry at the end of the second crop upon presentation of evidence satisfactory to the Federal Horticultural Board that full and adequate propagation use has been made of the imported stock. Prior to such release no sale of the stock or of the increase therefrom will be permitted."

Infestation by the narcissus-bulb flies and eelworm can usually be best determined during the period beginning immediately prior to flowering and terminating before the maturity and shriveling of the flower. This period is closely followed by a natural ripening and yellowing of the foliage which may confuse and obscure the pest injury. The field inspection required in regulation 3 of quarantine No. 62 should, therefore, be made during the period indicated, but additional field inspections are desirable.

The required certification for interstate movement (see regulation 3, quarantine No. 62) is based on the results of the inspections discussed above made by the appropriate plant quarantine official of the State concerned, serving as a collaborator and inspector of the Federal Horticultural Board. It is important, therefore, that those desiring to make interstate shipment of domestic narcissus bulbs of the 1927 crop should "make application (as required in regulation 4, quarantine No. 62) for field inspection as far as possible in advance of the

probable date required for such inspection to the inspector designated for the State concerned."

In connection with such application the grower or applicant should submit fully filled out, "the affirmation concerning the replanting stock," the form of which is shown on page 6 of the notice of narcissus-bulb quarantine No. 62. Copies of this form (issued as Form No. 390) may be secured by communicating with the State plant quarantine official concerned.

A copy of the notice of narcissus-bulb quarantine No. 62, with rules and regulations supplemental thereto, etc., is inclosed and should be retained for reference.

C. L. MARLATT,
Chairman of Board.

PINK-BOLLWORM QUARANTINE (DOMESTIC) (NO. 52)

OUTBREAK OF THE PINK BOLLWORM IN ARIZONA

JANUARY 7, 1927.

[Press notice]

The pink bollworm has recently been determined to be rather widely scattered in Cochise and Graham Counties, southeastern Arizona. Fortunately, the infestations are confined to small, recently developed irrigation districts remote from the important cotton-producing areas in Arizona, particularly the Salt River district. Clean-up operations are now under way similar to those employed in east Texas in 1916 and western Louisiana in 1920, which apparently resulted in wiping out infestations in these States which were much more widespread and important than those now under consideration. In view of the isolation of the Arizona infestations and the limited areas involved, the possibility of effecting eradication is believed to be much more favorable even than it was in Texas and Louisiana. Some 30 Federal inspectors are now engaged in determining the extent of the infestation in the State and in directing clean-up work.

Federal quarantine action on account of the pink bollworm in Arizona will be deferred until the surveys referred to have been completed. In the meantime, quarantine officials of that State are cooperating with the United States Department of Agriculture in preventing the movement of all cotton products out of the infested areas.

MEDITERRANEAN FRUIT-FLY AND MELON-FLY QUARANTINE (NO. 13)

INSTRUCTIONS TO POSTMASTERS

POST OFFICE DEPARTMENT,
THIRD ASSISTANT POSTMASTER GENERAL,
Washington, March 30, 1927.

Postmaster, ————.

MY DEAR SIR: Notwithstanding this office has heretofore called the attention of every postmaster in Hawaii to the necessity of exercising care in the acceptance of parcels containing fruits, vegetables, or other plant material, the shipment of which from Hawaii to the mainland of the United States is prohibited or restricted under the various quarantine orders which have been promulgated by the United States Department of Agriculture, it has come to attention that several parcels were recently mailed in Hawaii to California, which were not accompanied with the required certificate of inspection, but were found upon examination to contain fruits, vegetables, etc.

Such matter is unmailable unless accompanied with the required certificate. Your careful attention is, therefore, renewed to the instructions previously issued in this respect, with special reference to the letter addressed to you under date of December 3, 1924.

This is a very serious matter, as failure to comply with the prohibitions and restrictions of the quarantine orders referred to is likely to result in the spread of injurious insect infestations or plant diseases. Kindly exercise the utmost care to prevent such shipments from your office, and to this end you should ascertain by inquiring of the sender or otherwise whether parcels presented for mailing from your office to the mainland containing fruits, vegetables, or other matter are being sent in violation of the outstanding quarantine orders. See inclosed circular dated May 1, 1924.

Sincerely yours,

R. S. Regar,
Third Assistant Postmaster General.

MISCELLANEOUS ITEMS

STATE QUARANTINE ACTION POSSIBLE UNDER AMENDMENT OF PLANT QUARANTINE ACT OF APRIL 13, 1926

January 24, 1927.

Dear Sir: A good many States are considering at this time revision of their basic plant quarantine laws in so far as they affect interstate movement of plants and other articles, to bring them in alignment with the amendment of April 13, 1926, of the Federal plant quarantine act of August 20, 1912.

In response to requests from several States, a draft of a section relating to the control of interstate shipments has been made by the solicitor of this department—copy inclosed. Paragraph (*a*) of this draft provides authority for control of interstate shipments under the first proviso of the amendment. Paragraph (*b*) provides authority for police control of any article transported to, into, or through a State in violation of a Federal plant quarantine under the third proviso of the amendment.

Inquiry is frequently made as to the extent of State quarantine action possible under the first proviso of the amendment of April 13. This inquiry is often specific, namely, whether a State may act with reference to some district (State, territory, etc., or portion thereof) which is not covered by the Federal quarantine as to the subject, or whether it may act as to additional restrictions above or beyond those specified in the Federal quarantine.

In answer, attention may be drawn to the fact that the decision of the Supreme Court referred to evidently eliminated from State enactment or enforcement all plant quarantine legislation designed to control or regulate interstate traffic in plants and plant products with respect to dangerous plant diseases or insect infestations. The amendment of April 13 restored to the States this power of interstate control and regulation only to a limited extent, for it will be noted that the power thus restored has reference specifically to the subject—that is, the disease or insect—and that such power as to subject may be exercised only until the Secretary of Agriculture has made a determination as to the necessity of a quarantine and established such a quarantine with respect to the dangerous plant disease or insect infestation. Therefore, under this amendment, a State may act only as to such disease or insect as is not the subject of a Federal quarantine, irrespective of any opinion as to the adequacy of the territory covered in the Federal quarantine or the adequacy of the regulations and restrictions established thereunder with respect to interstate movement of products.

As examples, the Secretary has made the necessary determinations and has established quarantines with respect to the pink bollworm, the Thurberia weevil, the gipsy and brown-tail moths, the white pine blister rust, the black stem rust of wheat, and other subjects; all such subjects are therefore eliminated from any State regulatory action on their account, affecting the interstate movement of plants or plant products or other articles. On the other hand, such subjects as the Mexican cotton boll weevil, the alfalfa weevil, the potato tuber moth, the

citrus canker, and the chestnut blight, have not been made the subject of Federal quarantines, and State regulatory control as to movement into or through the State with reference thereto would seem to be permissible.

With respect to subjects, that is, plant diseases or insect pests, which are covered by Federal quarantines, if any State believes that the protection afforded thereby is inadequate as to either district covered or restrictions, or that the restrictions are too drastic for the purpose intended, application for the desired change, as the Supreme Court has said, "must be obtained through application to the Secretary of Agriculture." In cases of emergency, action can be taken by the Department of Agriculture with great promptness.

If, on the other hand, it were possible for a State to act under the first proviso of the amendment with respect to any district not included under the Federal quarantine as to the subject, or if it were possible for a State to act as to additional restrictions as to interstate movement above or beyond those specified in the Federal quarantine, we would have again a mixture of State and Federal action as to the same subject, namely, action more or less in conflict and resulting in a state of confusion even worse than that existing prior to the Supreme Court decision of March 1, 1926.

In giving this opinion, it is not to be inferred that it is necessarily the last word on the subject, but rather what appears to be the plain intention and meaning of the first proviso of the amendment, in view of the Supreme Court's decision of March 1, 1926.

Attention is also called to the circular letter under date of April 26, 1926, sent to State plant quarantine officials, giving the opinion of the acting solicitor of this department on the question "Whether the decision of the Supreme Court in the case of the Oregon-Washington Railway & Navigation Co. *v.* The State of Washington nullified all previous State plant quarantines or portions thereof regulating or controlling interstate traffic."

Yours very truly,

C. L. MARLATT,
Chairman Federal Horticultural Board.

CONTROL OF INTERSTATE SHIPMENTS

(*a*) The (board of control), when it shall find that there exists in any other State, Territory, or District, or part thereof, any dangerous plant disease or insect infestation with reference to which the Secretary of Agriculture of the United States has not determined that a quarantine is necessary and duly established such quarantine, is hereby authorized to promulgate, and to enforce by appropriate rules and regulations, a quarantine prohibiting or restricting the transportation into or through the State, or any portion thereof, from such other State, Territory, or District, of any class of nursery stock, plant, fruit, seed, or other article of any character whatsoever capable of carrying such plant disease or insect infestation.

(*b*) The (board of control) is hereby authorized to make rules and regulations for the seizure, inspection, disinfection, destruction, or other disposition of any nursery stock, plant, fruit, seed, or other article of any character whatsoever, capable of carrying any dangerous plant disease or insect infestation, a quarantine with respect to which shall have been established by the Secretary of Agriculture of the United States, and which have been transported to, into, or through this State in violation of such quarantine.

REGULATIONS GOVERNING THE IMPORTATION OF PLANTS AND PLANT PRODUCTS INTO DENMARK

HB–199

MARCH 9, 1927.

For the information of exporters of plants and plant products to Denmark, there is reproduced herewith a decree promulgated December 10, 1926. The translation of this decree was furnished by the Danish Minister in Washington, through the Secretary of State, January 11, 1927. For the further information of exporters, there has been added the decree of March 31, 1924, governing the importation of potatoes into Denmark.

DECREE REGARDING THE IMPORTATION OF PLANTS AND PARTS OF PLANTS INTO DENMARK

In pursuance of law No. 488 of December 21, 1923, concerning the combatting of contagious plant diseases and parasites the following provisions are hereby established:

Article 1

Importation into Denmark of plants and parts of plants with accompanying soil, such as fruit trees, other trees, bushes, perennial plants, vegetables with roots, bulbs, tubers, plants for transplanting, potted plants, etc., is permitted only when shipment takes place directly from the growing place to the importer and provided that the shipment is accompanied by a certificate issued by an official plant inspector in the country of origin, and that this certificate is delivered to the customs authorities at the place of importation. Plants the roots of which have been washed also are affected by these provisions, but they do not apply to edible bulbs such as onions or to asparagus.

Article 2

The certificate, which must be attached to the bill of lading, must be issued by an official plant inspector within a period of one month prior to shipment from the country of origin. The certificate must certify that the place of cultivation of the grower in question is free from infection with potato wart (*Synchytrium endobioticum*) and is situated at a distance of at least 5 kilometers from any place where such disease has occurred during the past five years. The certificate must further indicate the country of origin, place of cultivation, name and address of grower, date and year, and be furnished with the official seal or stamp of the inspector.

At the foot of the certificate the grower must state the number of packages in the shipment, the number and variety of the plants, and give a declaration to the effect that the plants are forwarded directly from the growing place to the importer.

Article 3

The regulations applying to the importation of potatoes as per decree 140, March 31, 1924, are not affected by the present decree.

Article 4

This decree becomes effective immediately, and simultaneously the decree of December 5, 1925, is repealed.

MINISTRY OF AGRICULTURE, *December 10, 1926.*

P. M. V.
HELSTED.

DECREE OF MARCH 31, 1924, CONCERNING THE IMPORTATION OF POTATOES INTO DENMARK

Article 1

Importations of potatoes into Denmark may not take place from countries where attacks of potato wart (*Synchytrium endobioticum*) or Colorado beetle (*Doryphora decemlineata*) have occurred, unless satisfactory evidence is produced that the country in question has again been relieved of the attack.

A copy of the form of certificate of origin required by the Danish Government is attached hereto.

C. L. MARLATT,
Chairman of Board.

_____
(Name of the country of origin)

CERTIFICATE OF ORIGIN

This is to certify that the plants included in the consignment described below are grown by _____ at _____,
(Name of grower) (Name and address of the growing place)
a locality free from infection with potato wart (*Synchytrium endobioticum*) and situated at least 5 km. from any place, where potato wart has occurred during the last 5 years.

_____, 19____

[Seal of the official Plant Inspection Service.]

_____
Chief of the Plant Inspection Service.

The undersigned grower hereby declares that the consignment is composed of _____ packages, containing _____ and that the
(Number) (Number and species of plants)
plants are to be sent directly from the growing place to _____.
(Name and address of consignee)

_____
(Name of grower)

_____
(Postal address)

CONVICTIONS FOR VIOLATIONS OF THE PLANT QUARANTINE ACT

The following convictions for violations of the plant quarantine act were reported to the board during the period January 1 to March 31, 1927.

VIOLATIONS OF WHITE-PINE BLISTER-RUST QUARANTINE (NO. 26)

In the case of the United States *v.* Andrews Nursery Co., Faribault, Minn., in the interstate shipment of one gooseberry plant to a point outside of the quarantined area, the defendant pleaded guilty and was fined $10. (Plant quarantine case No. 305.)

In the case of the United States *v.* P. E. Cook, doing business as the Home Nursery Co., Liberal, Mo., in the interstate shipment of one gooseberry plant to a point outside of the quarantined area, the defendant pleaded guilty and was fined $10. (Plant quarantine case No. 295.)

In the case of the United States *v.* W. O. Gray, doing business as the Clever-Aurora Nursery Co., Aurora, Mo., in the interstate shipment of eight gooseberry plants to a point outside of the quarantined area, the defendant pleaded guilty and was fined $10. (Plant quarantine case No. 269.)

VIOLATIONS OF AVOCADO ORDER

In the case of the United States *v.* Elias Acosta, jr., in attempting to smuggle in nine avocados from Mexico, the defendant was fined $25.

In the case of the United States *v.* Pedro Castanado, in attempting to smuggle in 17 avocados from Mexico, the defendant was fined $100.

U. S. GOVERNMENT PRINTING OFFICE: 1927